

**Refugee Review Tribunal
AUSTRALIA**

RRT RESEARCH RESPONSE

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Questions

- 1. Please provide information on the rights of spouses of South Korean citizens to reside in South Korea.**
- 2. Please provide the name of the wards and seats covering the district of Gazipur and advise the names of the sitting members.**

RESPONSE

- 1. Please provide information on the rights of spouses of South Korean citizens to reside in South Korea.**

Sources indicate that the spouse of a South Korean citizen may apply for a Residence (F-2) visa for South Korea ('Visa – Residency (F-2)' (undated), South Korean Bureau of Immigration website

http://www.hikorea.go.kr/pt/InfoDetailR_en.pt?categoryId=2&parentId=382&catSeq=385&howMenuId=374&visaId=F2 – Accessed 15 August 2008 – Attachment 1).

The website for the Embassy of the Republic of Korea in Australia provides the following information on the 'Visa Application' requirements relating to Residence (F-2) visas:

Residence(F-2)

This visa category is available to individuals (including spouse and children) who have continuously lived with their permanent address in the Republic of Korea. This visa also includes the following category:

- Children underage of a person who has Residence F-2 status ;

- **Spouse of a Korean national, has never acquired a Korean nationality before**
- Spouse of a person having Residence visa F-2 status, has continuously stayed for more than one year in Korea
- Individuals who have especially contributed to the Republic of Korea or who have valid reasons to continuously stay in Korea

Stay up to 90 days but extendable

- Documents proving family relationship, eg. Certificate of marriage or register book
- Financial affidavit(Bank statement)
- Letter of personal reference notarized
- visa application form
- Passport valid for at least one year
- Passport photo x1
- \$75.00 of visa fee(cash Bank cheques or money order)
- Self-addressed prepaid courier bag or registered envelope

If necessary, the chief of a Korean Embassy or Consulate abroad may ask an applicant to submit more documents than required ('Visa Application' (undated), Embassy of the Republic of Korea in Australia website http://www.korea.org.au/visainfo/index_visa.htm – Accessed 15 August 2008 – Attachment 2).

Sources suggest that the Residence (F-2) visa is not a permanent residence visa, and individuals must apply for 'Extensions of Stay'. The South Korean Bureau of Immigration website explains the requirements for 'Extension of Stay' for a Residency (F-2) visa as follows:

Residency (F-2)

Application Eligibility

- Spouse of Korean people or the person with permanent residency (F-5) qualification
- Foreigner with refugee recognition
- Foreigner that intends to stay for not less than 3 years with Treaty investment status (D-8), who are dispatched to foreigner's investment enterprise under the provision of the 'Law on Promotion of Foreigners' Investment' by a foreign enterprise with not less than five hundred thousand USD of investment, and who is working in a foreigner's investment enterprise under the provision of the 'Law on Promotion of Foreigners' Investment'
- Foreigner that lost permanent residency status (F-5) and is accepted by the Minister of Justice for continuous stay in consideration of protection of benefit in domestic life relationship
- Foreigner that has domestic life base with not less than 7 years of continuous stay in ROK with the status other than Diplomacy (A-1), Official Mission (A-2), or Agreements (A-3) and who is accepted by the Minister of Justice

Document requirements are as follows

Other documents each category of visa may require additionally.

Spouse of Korean people

- Passport and foreign registration card
- Application forms for the extension of stay
- A Marriage relation certificate (showing the fact of marriage and issued by town office)
- A resident register of spouse

- Reference of spouse
- Fees (tax stamp 20,000 won)

Spouse with permanent residency status (F-5)

- Passport and foreign registration card
- Application forms for the extension of stay
- A copy of family registry (Overseas Chinese Association) or household register (corresponding person)
- A copy of foreign registration card of spouse
- Reference of spouse
- Fees (tax stamp 30,000 won)

Standard of the review of permission for extension of stay

- Reasonableness of domestic long-term residence
- In case of the spouse of Korean people, whether or not of normal marriage life
- In case of marriage of convenience or no actual living together, the extension of stay shall be limited ('Extension of Stay – Residency (F-2)' (undated), South Korean Bureau of Immigration website
http://www.hikorea.go.kr/pt/InfoDetailR_en.pt?categoryId=2&parentId=391&catSeq=429&showMenuId=376&visaId=F2 – Accessed 15 August 2008 – Attachment 3).

When the spouse of a Korean national has lived in Korea for at least two years they may then apply for a Permanent Residence (F-5) visa. The South Korean Bureau of Immigration website also provides details on the requirements for change of status to Permanent Residency (F-5):

Application Eligibility

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- Foreigners that are the spouse or child of a Korean national or has Permanent Residency status (F-5) and has been staying in ROK for no less than 2 years.

...

Calculating duration of domestic residence

- Continuous period of time spent in Korea without complete departure. Less than three months spent overseas with re-entry permit may be counted as part of domestic residence period ('Change of Stay – Permanent Residency (F-5)' (undated), South Korean Bureau of Immigration website
http://www.hikorea.go.kr/pt/InfoDetailR_en.pt?categoryId=2&parentId=392&catSeq=433&showMenuId=376&visaId=E2 – Accessed 18 August 2008 – Attachment 4).

2. Please provide the name of the wards and seats covering the district of Gazipur and advise the names of the sitting members.

Sources seem to indicate that Gazipur is within the Sreepur union of the Sreepur upazila [sub-district], within the Gazipur-1 constituency, of Gazipur district. A 2006 map of the Gazipur district on the National Democratic Institute for International Affairs Bangladesh website indicates that the other upazila's within the Gazipur district are Kaliakair, Gazipur Sadar, Kaliganj, and Kapsia. Information from the Bangladesh Bureau of Statistics indicates that there are nine unions (and no wards) in Sreepur upazila. The 2006 map of Gazipur District indicates that the nine unions within the Sreepur upazila are Gazipur, Maona, Sreepur, Talihati, Kaoraid, Barmi, Gosinga, Rajabari, and Prahladpur (Centre for Geospatial Studies

and Mapping 2006, 'Gazipur District', National Democratic Institute for International Affairs Bangladesh website <http://www.ndibd.org/admin/map/29010777.pdf> – Accessed 18 August 2008 – Attachment 6; 'Community Series: Gazipur' (undated), Bangladesh Bureau of Statistics website, Section 3.5: Sreepur Upazila at a Glance, pp. 25-30 http://www.bbs.gov.bd/com_series/daka_div/gaz_z_sum.pdf – Accessed 20 August 2008 – Attachment 9).

Sources indicate that the Awami League candidate from the Gazipur-1 constituency during the 2001 election was Alhaj Advocate Md. Rahmat Ali, and the Bangladesh Nationalist Party (BNP) candidate was Chowdhury Tanbir Ahmad Siddiqi ('Constituency wise results of Gazipur-1' (undated), Bangladesh Election Commission website http://www.ecs.gov.bd/English/ElectionResults.php?Parameter_QLSCat_ID=&cons=194&sbmit1=Show&electionid=8&electionName=Parliament+Election+2001 – Accessed 18 August 2008 – Attachment 5).

A list of results from the Gazipur-1 constituency appearing on the Bangladesh Election Commission website indicates that Awami Party candidate Alhaj Advocate Md. Rahmat Ali received 165 281 total votes, and the Bangladesh Nationalist Party (BNP) candidate Chowdhury Tanbir Ahmad Siddiqi received 141 151 votes. Eight other candidates in the constituency also received votes, and these can be reviewed in the following attachment ('Constituency wise results of Gazipur-1' (undated), Bangladesh Election Commission website http://www.ecs.gov.bd/English/ElectionResults.php?Parameter_QLSCat_ID=&cons=194&sbmit1=Show&electionid=8&electionName=Parliament+Election+2001 – Accessed 18 August 2008 – Attachment 5).

A 'List of Members of 8th Parliament of Bangladesh Jatiyo Sangsad' (note that the 2001 elections were for the 8th Parliament) from the Parliament of Bangladesh website also indicated that Alhaj Advocate Md. Rahmat Ali was the sitting member for the constituency of 193-Gazipur-1. This list also noted that the sitting member for 194-Gazipur-2 was Mr. Md. Jahid Ahsan Russel, the sitting member for 195-Gazipur-3 was Mr. Md. A.K.M. Fazlul Haque, and the sitting member for 196-Gazipur-4 was Mr. Tanjim Ahmad. The geographical boundaries of these four constituencies can all be seen in Attachment 6 ('List of Members of 8th Parliament of Bangladesh Jatiyo Sangsad' (undated), Parliament of Bangladesh website http://www.parliamentofbangladesh.org/M_P%20List-300.pdf – Accessed 18 August 2008 – Attachment 7; Centre for Geospatial Studies and Mapping 2006, 'Gazipur District', National Democratic Institute for International Affairs Bangladesh website <http://www.ndibd.org/admin/map/29010777.pdf> – Accessed 18 August 2008 – Attachment 6).

The blog news site Daily Online Alochona also indicated that an Awami League member, Anisur Rahman, was elected mayor in Sreepur municipality in Gazipur following the August 2008 city corporate and municipal elections ('City govt polls go political' 2008, Daily Online Alochona blogsite, 6 August <http://dailyalochona.blogspot.com/2008/08/alochona-city-govt-polls-go-political.html> – Accessed 18 August 2008 – Attachment 8).

List of Sources Consulted

Internet Sources:

Google <http://www.google.com.au/>
All the web <http://www.alltheweb.com/>
Altavista <http://www.altavista.com/>
Ask <http://www.ask.com/?ax=5>
Exalead <http://www.exalead.com/search>
Yahoo! <http://search.yahoo.com/>

Government Information & Reports

Immigration & Refugee Board of Canada <http://www.irb.gc.ca/>
UK Home Office <http://www.homeoffice.gov.uk>
US Department of State <http://www.state.gov/>

Non-Government Organisations

Amnesty International website <http://www.amnesty.org/>
Human Rights Watch <http://www.hrw.org/>

International News & Politics

BBC News <http://www.bbc.co.uk/worldservice/index.shtml>

Databases:

BACIS (DIMA Country Information database)
REFINFO (IRBDC (Canada) Country Information database)
ISYS (RRT Country Research database, including Amnesty International, Human Rights Watch, US Department of State Reports)
RRT Library Catalogue

List of Attachments

1. 'Visa – Residency (F-2)' (undated), South Korean Bureau of Immigration website http://www.hikorea.go.kr/pt/InfoDetailR_en.pt?categoryId=2&parentId=382&catSeq=385&showMenuId=374&visaId=F2 – Accessed 15 August 2008.
2. 'Visa Application' (undated), Embassy of the Republic of Korea in Australia website http://www.korea.org.au/visainfo/index_visa.htm – Accessed 15 August 2008.
3. 'Extension of Stay – Residency (F-2)' (undated), South Korean Bureau of Immigration website http://www.hikorea.go.kr/pt/InfoDetailR_en.pt?categoryId=2&parentId=391&catSeq=429&showMenuId=376&visaId=F2 – Accessed 15 August 2008.
4. 'Change of Stay – Permanent Residency (F-5)' (undated), South Korean Bureau of Immigration website http://www.hikorea.go.kr/pt/InfoDetailR_en.pt?categoryId=2&parentId=392&catSeq=433&showMenuId=376&visaId=E2 – Accessed 18 August 2008.
5. 'Constituency wise results of Gazipur-1' (undated), Bangladesh Election Commission website http://www.ecs.gov.bd/English/ElectionResults.php?Parameter_QLSCat_ID=&cons=

[194&submit1=Show&electionid=8&electionName=Parliament+Election+2001](#) – Accessed 18 August 2008.

6. Centre for Geospatial Studies and Mapping 2006, 'Gazipur District', National Democratic Institute for International Affairs Bangladesh website
<http://www.ndibd.org/admin/map/29010777.pdf> – Accessed 18 August 2008.
7. 'List of Members of 8th Parliament of Bangladesh Jatiyo Sangsad' (undated), Parliament of Bangladesh website
http://www.parliamentofbangladesh.org/M_P%20List-300.pdf – Accessed 18 August 2008.
8. 'City govt polls go political' 2008, Daily Online Alochona blogsite, 6 August
<http://dailyalochona.blogspot.com/2008/08/alochona-city-govt-polls-go-political.html>
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9. 'Community Series: Gazipur' (undated), Bangladesh Bureau of Statistics website, Section 3.5: Sreepur Upazila at a Glance, pp. 25-30
http://www.bbs.gov.bd/com_series/daka_div/gaz_z_sum.pdf – Accessed 20 August 2008.