

Korean Male Diaspora: Did You Know You Could Be Conscripted?

Simon D. Lee, attorney and founding partner of Pureum Law Office, answers complicated questions

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AUG 27, 2026



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I took this photo on a tour of the DMZ in Paju, South Korea

By Jae-Ha Kim

South Korea is one of approximately 85 countries that has mandatory military service.¹ While some men — like elite athletes² and classical and/or traditional musicians — are exempt from conscription, concessions aren't made for most Korean men — not even for the world-famous pop group **BTS**.³

Korean nationals grow up knowing that men will have to put their education or work on hold when they are conscripted. But for Korean diaspora males, it's less cut and dry. Case in point: a fitness influencer who was born and raised in the United States. Seven years ago, he made the decision to work in South Korea. Because he was a U.S. national, he had to be cleared to receive a foreigner's visa to enter the country.

In a series of videos shared on TikTok and Instagram ⁴, he detailed how he received a message from the Korean military. He feared he was being drafted. There was confusion about his foreigner status and his nationality. He later learned that because his parents were Korean citizens when he was born in the U.S., he automatically received Korean citizenship at birth — something neither they nor he realized until about a month ago.

Reading the comments, the consensus was split down the middle. One group said it was outrageous for a U.S. native to be forced to serve military duty in his parents' birth country, while another blamed him and his parents for not knowing how Korean citizenship worked. ⁵

Due to family circumstances — he's engaged to a South Korean national, he wants to continue to work in Korea, and his mother needs to stay in Korea to treat an illness (which is cost prohibitive in the U.S.) — Oh said he has decided to serve in the Korean military, which lasts about 18 months from start to finish.

If you're inadvertently reading this on a content-scraping plagiarism site (e.g. europesays(dot)com etc.), please know that they stole my copyrighted work. These clickbait sites are illegally using my writing to generate traffic to their ads. —Jae-Ha Kim

Periodically, readers have asked me to help clarify who does and doesn't have to serve in the South Korean military. With that in mind, I contacted [Pureum Law Office](#)⁶ in South Korea to answer the most-asked questions. Co-founder Simon Lee was gracious enough to do this interview with me to give readers of *K-Culture with Jae-Ha Kim* a deeper understanding of South Korean law.

Below is our Q + A about South Korean conscription and how it pertains to Korean male diaspora in general, and Korean adoptees specifically. In reference to foreign countries, I often used the U.S. as the example, because that's where the majority of my readers are based.

NOTE: This interview provides general information. Please contact an attorney for advice based on your specific needs.



Simon D. Lee, attorney and founding partner of Pureum Law Office (Courtesy photo)

Are ethnically Korean men who are nationals of another country at risk of being forced to enlist in South Korea?

Simon D. Lee: The single most important point is that Korea's military obligation follows nationality, not ethnicity. If a man is purely a foreign national — no Korean citizenship — he has zero military obligation, no matter how Korean his family

background is. Nobody is detained at Incheon Airport and put in uniform. The men who actually face this issue are dual nationals — typically men born in the U.S. or Canada to a Korean parent, who therefore held Korean nationality from birth and never gave it up.

Are there many dual citizens serving in the Korean military?

Simon D. Lee: It's a small minority, but it does happen every year and it's entirely voluntary. The Military Manpower Administration runs a dedicated program for overseas permanent residents and dual nationals. They can choose their own enlistment date, the government pays round-trip airfare for visits home during leave — up to three times — and pays their travel costs back to their country of residence on discharge. The main legal incentive is that a dual national who completes service is allowed to keep both nationalities by pledging not to exercise his foreign nationality in Korea — otherwise he would eventually have to pick one.

When would a Korean man with U.S. citizenship actually have to serve?

Simon D. Lee: Nearly every case falls into one of two patterns, and the difference is decisive:

- **Born in Korea, emigrated, naturalized abroad later.** Under the Nationality Act, a Korean who *voluntarily acquires* a foreign nationality automatically loses Korean nationality at that moment. There is nothing to renounce — the obligation ends

by operation of law. He only needs to file a *loss of nationality* report to clean up his Korean records.

- **Born abroad to a Korean parent.** He is a dual national from birth, and Korean nationality does *not* disappear on its own. He must file a renunciation by March of the year he turns 18. After that, he can only give up Korean nationality once his military obligation has been resolved.

If he misses that renunciation deadline the year he turns 18, how does he resolve his military obligation?

Simon D. Lee: For the second group living abroad, service can be deferred to 37 and he is effectively excused at 38. But here's the trap. If he or his parents stay in Korea more than six months in any one-year period, or if he earns income in Korea, the authorities treat his base of life as Korean, cancel the overseas travel permit, and impose the obligation. So a dual national who moves to Seoul in his late teens or twenties to work is precisely the person who gets called up.

There are well known Korean men like [Tablo](#), [Woosung](#), and [Ahn Hyo-seop](#) who have foreign citizenship. They work and reside in Korea, but were exempted from military duty. How was that possible?

Simon D. Lee: On the celebrity examples ⁷ — I can't comment on any individual's private nationality record, and the answer genuinely depends on which of the two patterns above applies. A man who is only a foreign national has nothing to renounce

and never had to. A man who was a dual national and stayed in Korea long-term had a real decision to make.

For transnational adoptees, would a baby boy born in Korea who is adopted to a foreign country be subject to military enlistment in Korea?

Simon D. Lee: Practically speaking, no. Korean law provides that a Korean child adopted by a foreigner loses Korean nationality upon acquiring the adoptive parents' nationality, unless he affirmatively declares within six months that he wishes to keep it — which essentially never happens in adoption cases. So a Korean-born adoptee visiting for a vacation, a homeland tour, or an exchange semester faces no draft risk.

What if the adoptive parents were ethnically Korean. Does that make a difference?

Simon D. Lee: Whether the adoptive parents are ethnically Korean makes no difference. Only nationality matters. However, if both adoptive parents are Korean nationals or dual nationals of Korea and another country, and as a result the adoptee does not acquire a foreign nationality after the adoption, the adoptee will retain Korean nationality and remain subject to mandatory military service.

In such a case, the adoptee may avoid the military service obligation by renouncing Korean nationality by March 31 of the year in which he turns 18. If that deadline has already passed, he may apply for recognition as a 'Second-Generation Korean Residing Abroad' or obtain an overseas travel permit based on overseas emigration by January

15 of the year in which he turns 25. This may allow him to defer military service until December 31 of the year in which he turns 37.

If the baby boy had been registered in the birth family's 호적, would that make any impact?

Simon D. Lee: Being entered in the birth family's 호적/family register before adoption also does not create an obligation. It can, however, mean the Korean records were never updated to show the loss of nationality, which occasionally causes confusion at immigration. That's a paperwork fix — a loss-of-nationality report through a consulate — not a conscription problem.

Are there exceptions worth noting?

Simon D. Lee: The one genuine exception worth flagging — some adoptees, particularly those placed in the U.S. before the **Child Citizenship Act of 2000**, *never actually received citizenship in their adoptive country*. If a man in that situation never acquired U.S. citizenship, he may still legally be a Korean national. Those individuals should get their status checked before any extended stay in Korea.

So if I am understanding this correctly, even if an adopted male child's adoptive parents are dual nationals of Korea and another country, the child is exempt from South Korean military service *as long as he has acquired citizenship of that other country*.

Simon D. Lee: Your understanding is correct.

Can you go into more detail about the renunciation options?

Simon D. Lee: The deadline is March 31 of the year he turns 18 — so in practice, he needs to act at 17. Miss it, and he cannot renounce until the military obligation is resolved. At that point there are three realistic paths:

1. **Exceptional permission to renounce** from the Minister of Justice (added to the Nationality Act in 2022) — available to men born abroad who have essentially never lived in Korea, where missing the deadline was excusable and where being stuck with Korean nationality would cause real hardship, such as losing a foreign government job. It's discretionary and decided case by case.
2. **Keep the overseas travel permit current and wait it out.** He must apply through a Korean consulate between age 24 and January 15 of the year he turns 25, on “overseas residence” grounds, which defers service to 37; the obligation ends at 38, after which he can renounce freely. Missing this 24-to-25 window is the most common and most damaging mistake we see — it converts a lawful deferral into a violation, with travel restrictions and penalties.
3. **Serve voluntarily** (18 months) and keep both nationalities.

And finally, can renouncing your Korean nationality backfire?

Simon D. Lee: Renouncing Korean nationality is not a cost-free exit. A man who gives up Korean nationality in a way the government views as avoiding service⁸ is barred from the F-4 overseas-Korean visa — the main long-term residence status for ethnic

Koreans — until the year he turns 41. So families should decide this deliberately, not by default, and ideally well before the son's 18th birthday.

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***Simon D. Lee** is an attorney and founding partner of **Pureum Law Office** in Seoul and Pyeongtaek. The Korean Bar Association certified Lee as an Expert Criminal Attorney (2019) and Expert Divorce Attorney (2020). He's also a registered attorney with immigration offices nationwide. **Pureum Law Office** works almost exclusively with foreign nationals and overseas Koreans — including a steady stream of nationality and military-service cases from the U.S.*

Contact information [here](#)

Social media: [Facebook](#), [X](#), and [Instagram](#)

ETA: With my permission, Pureum Law Office posted a version of my article on their [website](#).

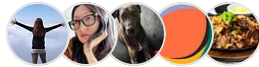


Pureum Law Office staff

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- 1 Source: <https://worldpopulationreview.com/country-rankings/countries-with-mandatory-military-service>

- 2 Asian Games gold medalists, any medaling Olympian, and classical musicians who win prestigious competitions are eligible for military exemption.
- 3 **BTS** made the decision to enlist within months of each other. Suga was the last member to be discharged (on June 11, 2025).
- 4 **source**
- 5 Washington-based immigration attorney Jong-Joon Chun said when he got his first call in 2005 “from a young Korean American whose scholarship offer to a South Korean university had been canceled after his dual citizenship status came to light...that’s when I looked into my own history and discovered that my own son was also in the same situation. If even I had no idea as a lawyer, how many regular people would know about this?” [source: Los Angeles Times, 2025]
- 6 As per ethical journalistic standards, no money exchanged hands for this article.
- 7 Epik High’s Tablo is a Canadian citizen, born to Korean parents in Korea. Woosung (of The Rose) is a U.S. citizen who was born in Korea (as were his parents). *Kpop Demon Hunters*’ voice actor Ahn Hyo-seop was born in South Korea to Korean parents, but holds Canadian citizenship. He has been living in Seoul since he was 17.
- 8 Steve Yoo (ne Yoo Seung-jun) was born in Seoul. When he was 13, his family immigrated to Buena Park, California. Later, he returned to Korea to pursue a career in music. He was hugely popular during the 1990s and early 2000s. But when it came time for him to enlist in 2002, he moved back to the U.S. and became a naturalized U.S. citizen. He renounced his Korean citizenship, which was widely viewed as an attempt to get out of having to serve in

the military. The result? Yoo Seung-jun was banned from returning to Korea and his thriving musical career effectively ended. [In 2003, the government did allow him to return for three days to attend his father-in-law's funeral.] He now splits his time between the U.S. and China, where he works as an actor.



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