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CHINA | CSW urges China to deal with North Korean refugees according to international law

Christian Solidarity Worldwide (CSW) is deeply concerned for the plight of 30 North Korean refugees who are reportedly being repatriated from China, and calls on the Chinese government to abide by international refugee conventions.

The group of 30 North Korean refugees were arrested by Chinese police on 8 February in separate locations in the city of Shenyang, after crossing into the country illegally en route to South Korea. Some of them are believed to have had contact with members of a South Korean organization who were trying to help them complete their journey to South Korea. If returned they are at risk of detention, torture and even execution as illegal border-crossers.

China considers all undocumented North Koreans as economic migrants, rather than as asylum-seekers. It is a criminal offence to leave North Korea without permission and the borders are heavily guarded, with arrest teams sent to find and return those attempting to leave the country. China has been an ally in enforcing this policy and regularly returns refugees to North Korea. Once returned they face interrogation, torture, mistreatment, long-term imprisonment and, in the worst cases, execution.

Although China is a state party to the UN Refugee Convention, it has prevented the UN refugee agency (UNHCR) from access to North Koreans in China. International law prohibits the forcible repatriation either directly or indirectly of any individuals to a country where they are at risk of facing persecution, torture or death.

Since Kim Jong-un, the new leader, took power, the situation for returned refugees is getting worse. In January he issued instructions that the entire family should be executed if a family member defected during the 100-day mourning period. This group of 30 refugees are likely to face particularly harsh treatment because they fled during the mourning period.

A number of human rights groups have protested the Chinese decision to repatriate the refugees, and some South Korean organizations attempted to negotiate with the Chinese government. The South Korean government has pledged to raise the Chinese policy with the United Nations (UN).

CSW's Advocacy Director Andrew Johnston said, "China has responsibilities and obligations under international law to protect North Korean refugees and not forcibly repatriate them, and we strongly urge China to abide by these. If China wants to be respected on the world stage, it must earn respect by behaving responsibly. Deporting people to almost certain incarceration, torture and possible execution is a gross violation of human rights and an appalling step for a major world power to take. These people should be given safe passage through China to South Korea, otherwise their lives are at risk."