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NORTH KOREA | CSW Condemns Deportation, Repatriation of North Korean Refugees

Christian Solidarity Worldwide (CSW) condemns Laos' deportation of nine North Korean refugees to China from where they were forcibly repatriated to North Korea. CSW fears the refugees, whose number includes at least one child, could face detention, torture and even execution as "illegal defectors."

The nine North Koreans, all aged 15 to 23, arrived in Laos around May 10 and were on their way to South Korea when they were caught by the Lao authorities. According to reports, the South Korean embassy in Vientiane requested that the refugees be transferred into its custody. On May 27, the embassy received news that the group had been deported to China. On May 29, a senior South Korean foreign ministry official said they judged that the refugees were repatriated to North Korea on May 28.

The news that the nine had been deported from Laos to China, apparently in the custody of North Korean officials, shocked members of the South Korean government and international observers, according to South Korean media. In the past, Laos has complied with the wishes of North Korean refugees and the South Korean embassy by allowing refugees to travel on to Seoul. In this case, it appears North Korean officials were closely involved in the process of identifying and questioning the refugees.

Although China has ratified the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), which prohibits the forcible return of people to states where they face a substantial risk of being tortured, the government continues to repatriate refugees to North Korea, despite numerous reports of imprisonment, torture and execution of returned defectors. Laos has also ratified CAT. China is also a state party to the UN Convention on the Status of Refugees, which includes a similar principle of *non-refoulement* (Article 33). Refugees outside North Korea qualify as *refugees sur place* because of a well-founded fear of torture and possible execution in North Korea, where they are considered to be illegal emigrants. Accordingly, CSW has called for all North

Koreans in China to be recognized as refugees and given access to the United Nations High Commissioner for Refugees (UNHCR).

CSW's Chief Executive Mervyn Thomas said, "CSW condemns the decision of the Lao authorities to deport nine North Korean refugees to China against the wishes and welfare of the refugees, and the direct request of the South Korean embassy. We urge the Lao authorities to return to their policy of transferring all North Korean refugees into the custody of South Korean officials. Furthermore, we are deeply concerned about the refugees' subsequent deportation to North Korea. We strongly urge the North Korean government to respect the human rights of the nine North Koreans, acknowledging the special protection given to persons under 18 years by the Convention on the Rights of the Child, and to refrain from treating the nine individuals as criminals, as has been their habit in the past, granting them full freedom."