



## **China: Researched and compiled by the Refugee Documentation Centre of Ireland on 28 March 2011**

### **Treatment of North Koreans**

Please find attached information relating to your query on China.

The *United States Department of State* reports:

“The government failed to protect refugees and asylum-seekers adequately, and the detention and forced repatriation of North Koreans continued.”  
(United States Department of State (11 March 2010) *2009 Country Reports on Human Rights Practices - China*)

The same report also states:

“The government continued to consider all North Koreans "economic migrants" rather than refugees, and the UNHCR continued to have limited access to North Korean refugees inside China. The lack of access to UNHCR-supported durable solutions and options, as well as constant fear of forced repatriation by authorities, left North Korean refugees vulnerable to human traffickers. Even refugees under UNCHR care were subjected to harassment and restrictions by authorities. The government continued to deny the UNHCR permission to operate along its northeastern border with North Korea.

In practice the government did not provide protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened on account of their race, religion, nationality, membership in a particular social group, or political opinion. Some North Koreans were permitted to travel to third countries after they entered diplomatic compounds in the country. The intensified crackdown begun in 2008 against North Korean refugees reportedly extended to harassment of religious communities along the border. The undocumented children of some North Korean asylum seekers and of mixed couples (i.e., one Chinese parent and one North Korean parent) reportedly did not have access to health care, public education, or other social services. The government also arrested and detained individuals who provided food, shelter, transportation, and other assistance to North Koreans. According to reports, some activists or brokers detained for assisting North Koreans were charged with human smuggling, and in some cases the North Koreans were forcibly returned to North Korea. There were also reports that North Korean agents operated clandestinely within the country to forcibly repatriate North Korean citizens.” (Ibid)

*Freedom House* states:

“Law enforcement agencies continued to seek out and repatriate North Korean refugees, who face imprisonment or execution upon return. In August,

a court in Inner Mongolia sentenced two Chinese citizens to 7 and 10 years in prison for helping 61 North Korean refugees cross into neighboring Mongolia.” (Freedom House (1 June 2010) *Freedom in the World 2010 – China*)

*Radio Free Asia* report:

“Aid workers estimate that there are about 2,000 "defector orphans" in China, with a possible total of 30,000 North Korean defectors living in hiding, mostly driven over the border to look for food and work.

"Stateless orphans," on the other hand, are born out of relationships between North Korean women and Chinese men, with their mothers subsequently deported to North Korea.

"Stateless orphans" are currently believed to number 10,000-20,000, and are unable to get an education because they lack official Chinese papers. Late registration of children without papers costs 5,000 yuan (U.S. \$750), around three times the monthly salary of the average Chinese person, aid workers said.” (Radio Free Asia (12 February 2010) *Korean children left in China*)

*Radio Free Asia* report:

“North Korean women trafficked into China are moved and traded like merchandise, with many sold as “brides,” kept in confinement, and sexually assaulted, sources said.

Many become pregnant with unwanted children.

“Almost nine out of ten North Korean women [who leave their country] fall prey to human traffickers, and end up in rural areas all over China,” said Kim Kwang In, director of the Seoul-based North Korea Strategy Center.

“They are sold to old Chinese bachelors. There, they suffer egregious human rights violations beyond our imagination.” (Radio Freed Asia (4 March 2011) *Women Tricked, Trafficked into China*)

*Human Rights Watch* states:

“A serious problem these children face is access to education, as Chinese schools require verification of identity for admittance and continued schooling. In China, every citizen must be registered under a household registration system called hukou.

Chinese law stipulates that a child born in China is entitled to citizenship if either parent is a Chinese citizen. However, since registering a child would expose the identity of the mother, Chinese men who have had children with North Korean women are faced with an awful choice. They can register their child at the risk of exposing their mothers, who could be arrested and repatriated to North Korea as “illegal” economic migrants, or they can decide not to register the child—leaving the child without access to education. When both parents are North Koreans, it is impossible for a child to obtain hukou.

Children of North Korean women face different treatment in different districts in Yanbian. Practices are often harsh: in many districts, officials routinely arrest and repatriate North Korean women found to be living with Chinese men in their districts. Although the law does not explicitly require it, some also refuse to allow the registration of half-North Korean children as Chinese citizens unless and until their mothers have been arrested and repatriated to North Korea. In one exceptional case, the authorities in a small district began allowing in 2007 the registration of half- North Korean children as Chinese citizens without requiring documentation about their mothers. (Human Rights Watch (12 April 2008) *Denied Status, Denied Education: Children of North Korean Women in China*)

The *United States Department of State* report:

“Many North Koreans who enter into China are subjected to forced prostitution or forced labor in forced marriages or in Internet sex businesses.” (United States Department of State (14 June 2010) *Trafficking in Persons Report 2010 – China*)

The report also states:

“Chinese authorities continue to forcibly repatriate North Korean trafficking victims, who face punishment upon their return for unlawful acts that were sometimes a direct result of being trafficked. The government's inadequate data collection system and limited transparency continued to impede progress in recording and quantifying anti-trafficking efforts. For these reasons, China is placed on Tier 2 Watch List for the sixth consecutive year.” (Ibid)

The *Congressional-Executive Commission on China* states:

“In 2009, the Chinese government continued to repatriate North Korean refugees to the DPRK and stepped up its repatriation of North Korean refugees before October 1, 2009. In October 2009, one overseas news organization reported that Chinese authorities were conducting weekly visits to every house along the Chinese- North Korean border to locate North Koreans in hiding. In July 2009, Chinese authorities detained a North Korean woman who had lived in China for over 10 years while her 10-year-old son looked on, according to Radio Free Asia. In September 2009, Chinese authorities detained five North Korean defectors attempting to travel to Vietnam to seek asylum. Their current status remains unknown. In late 2009, 20 women from the same county in the DPRK were repatriated and subsequently imprisoned. In January 2010, Chinese authorities repatriated one North Korean woman two days after she entered China. Upon return to the DPRK, North Korean authorities punished her together with more than 40 repatriated refugees from the same town. In March 2010, one overseas media source reported that 50 North Korean defectors had taken refuge in South Korean diplomatic missions in China, which they were unwilling to leave for fear of being detained and repatriated to the DPRK by Chinese authorities. About 30 of the refugees had been confined to the diplomatic missions for more than one year, as the Chinese government had intentionally delayed negotiations with South Korea for their departure. The Chinese

government continues to deny the UN High Commissioner for Refugees (UNHCR) access to North Koreans seeking asylum.” (Congressional-Executive Commission on China (10 October 2010) Annual Report 2010)

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UNHCR Refworld  
United Kingdom Border Agency  
United States Department of State  
Yahoo

This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.