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WASHINGTON, D.C. – On North Korea refugee day, the U.S. Commission on International Religious Freedom (USCIRF) calls on the global community to remember those suffering for trying to live without fear of persecution.

“North Korean refugees continue to live in dire circumstances in China,” said Leonard Leo, USCIRF chair. “The political and diplomatic tools are available to solve this problem; the only question is whether there is the political will to make this issue a priority. The Obama Administration should lead a coordinated effort to convince China that North Koreans face severe and persistent persecution and imprisonment if they are repatriated. China must see the protection of refugees or, at the very least, their safe passage to third countries as part of its international obligation and interest.”

While the world focuses on North Korean nuclear ambitions and its leadership transition, tens of thousands of refugees live daily with fear, often exploited for labor and sex, and are hunted by Chinese police who forcibly repatriate them to North Korea. USCIRF has accumulated testimonies of former North Korean border guards who claim that refugees suspected of becoming Christian or smuggling Bibles are tortured, imprisoned, and even executed when returned from China. There also continue to be reports that North Korean agents operate clandestinely in China, infiltrating churches and religious groups assisting refugees. USCIRF reports on North Korea can be accessed at www.uscirf.gov.

Since 2008, the Chinese government has intensified its campaign against North Korean refugees, harassing religious communities that assist refugees and offering rewards to those

who turn over asylum seekers to authorities. The government also reportedly arrested individuals who organized food, shelter, transportation, and other assistance to North Koreans. In August 2009, a court in Erlianhaote, Inner Mongolia, sentenced Protestant house church leaders Li Ming-shun and Zhang Yong-hu to 10 and seven years imprisonment, respectively, and imposed substantial fines for their efforts to assist North Korean refugees.

The Chinese government considers all North Koreans economic migrants rather than refugees. Without access to a durable solution provided by the UN High Commissioner for Refugees (UNHCR), North Koreans continue to face repatriation, trafficking, and discrimination. Even North Korean refugees under UNCHR care were subjected to harassment and restrictions by authorities.

China is a party to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol; however, there is no Chinese law that provides for the protection of North Korean asylum seekers. The government does cooperate with the UNHCR regarding some asylum cases. The UNHCR reported that 100 refugee claims were processed last year, all for non-Koreans. Beijing limits UNHCR access to North Korean asylum-seekers and does not allow the UNHCR to operate in China's border region with North Korea.

"The world cannot continue to accept excuses from China for its intransigence on a clear point of international law," said Mr. Leo. "U.S. leadership is needed to raise this issue prominently in bilateral relations and coordinate efforts with regional democracies, the European Union, and the UN. Only with concerted international action will China recognize that a change of policy is in its interests."

In its 2010 Annual Report, USCIRF urged the U.S. government to:

- Urge China to uphold its international obligations to protect asylum seekers by: working with the UNHCR to establish a mechanism to confer temporary asylum on those seeking such protection and to permit safe transport to countries of final asylum; providing the UNHCR with unrestricted access to interview North Korean nationals in China; and ensuring that the return of any migrants pursuant to any bilateral agreement does not violate China's obligations under the 1951 Refugee Convention and its 1967 Protocol or under Article 3 of the Convention Against Torture;
- Urge China to allow international humanitarian organizations greater access to North Koreans in China, to address growing social problems, abuses, and exploitation experienced by this vulnerable population, and work with regional and European allies to articulate a consistent and clear message about China's need to protect North Korean refugees;
- Urge China to allow greater numbers of North Korean migrants who desire resettlement to have safe haven and secure transit until they reach third countries; and grant legal residence to the North Korean spouses of Chinese citizens and their children; and
- Ensure that the North Korea Human Rights Act of 2008 is fully implemented, including provisions to provide humanitarian support to asylum seekers, remove legal obstacles to North Korean refugee resettlement in the United States, and provide sufficient resources for the Special Envoy for Human Rights in North Korea.

USCIRF is an independent, bipartisan U.S. federal government commission. USCIRF Commissioners are appointed by the President and the leadership of both political parties in the Senate and the House of Representatives. USCIRF's principal responsibilities are to review the facts and circumstances of violations of religious freedom internationally and to make policy recommendations to the President, the Secretary of State and Congress.

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