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# amnesty International

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## DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA (NORTH KOREA)

### The fate of those who flee: the case of Li Song Nam

6 October 1997

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Li Song Nam, aged 46, a North Korean national who left North Korea for the People's Republic of China on 5 August 1997, has not been seen since he was detained by Chinese police on 6 August. Amnesty International is concerned that he is at risk of being forcibly returned to North Korea, where he would be at grave risk of detention as a prisoner of conscience - or that he may already have been returned. Amnesty International also fears that Li Song Nam may be severely ill-treated at the hands of the Chinese or the North Korean authorities.

Li Song Nam had left North Korea illegally, accompanied by his wife and children. On 5 August 1997, Li Song Nam and his family reached the town of Ji'an, in China's Liaoning Province, near the city of Dandong. On 6 August, according to accounts received from his relatives by Amnesty International, Li Song Nam and his family were robbed of the foreign currency they carried. Li Song Nam reportedly challenged the people who had taken his money, who appear to have denounced him to the local police. Li Song Nam's wife and children reportedly saw him being taken away in a police car. His family believe that Li Song Nam was taken to a detention centre for illegal immigrants, near Dandong. It is unclear whether he is still in detention or has been returned to North Korea.

#### BACKGROUND INFORMATION

Dramatic food shortages have occurred in North Korea since 1995, reaching famine proportions in several areas. The shortages have led to an increase in the number of North Koreans leaving the country illegally, often through North Korea's long land border with China. Some of those people have been helped by ethnic Koreans living in China, others (like Li Song Nam) by relatives elsewhere. Li Song Nam's wife and children, who are now in China, are apparently trying to join her relatives in Japan.

North Koreans who reach China illegally are in a highly precarious situation. Some reports suggest that they are all returned to North Korea if found by the police and that the population of border areas is warned against helping North Koreans. However there are also reports that the Chinese authorities have been preparing to receive an increased influx of North Koreans as a result of the worsening food shortages.

China is a signatory to the 1951 Convention on the Status of Refugees, under which it has an obligation not to return forcibly to their country people who may be at risk of persecution. North Koreans who attempt to leave their country illegally are liable, and likely, to be sentenced to long prison terms under North Korea's Criminal Code, for the mere act of escaping. Amnesty International believes

that such people would be prisoners of conscience. There is little information about conditions of detention in North Korea, but Amnesty International has received reports that people returned from China have been beaten by border guards. The current acute food shortage reinforces the risk that detainees in North Korea will not receive adequate food.

### WHAT YOU CAN DO

**Send faxes/telexes/express/airmail letters in English, Korean, Chinese, Japanese or your own language:**

To the Chinese authorities:

- asking for information about the whereabouts and status of Li Song Nam;
- urging the authorities to ensure that Li Song Nam and his wife and children are protected from forcible return to North Korea, and are able to apply for asylum in China or in a third country.
- urging that the Chinese authorities make public their policies towards North Koreans who leave their country illegally, and ensure that these policies are consistent with China's obligations under the Convention on the Status of Refugees;

To the North Korean authorities:

- asking for information about the whereabouts of Li Song Nam and about his legal situation, and urging that he be immediately released if detained and allowed to join his family in China or Japan;
- urging the North Korean authorities to ensure that no-one is imprisoned or ill-treated solely for attempting to leave North Korea.

**APPEALS TO:**

1) Governor of the Liaoning Provincial People's Government

Wen Shizhen Shengzhang

Liaoningsheng Renmin Zhengfu

45 Huangguqu, Beiling Dajie

Shenyangshi 110032, Liaoningsheng

People's Republic of China

**Telexes: 80039 LFAO CN or 80040 SYFAO CN (Please forward to the Governor)**

**Salutation: Dear Governor**

2) Mr Pak Dok Hun, Counsellor

Office of the Permanent Mission of the Democratic People's

Republic of Korea to the UN

1 Chemin de Plonjon, 1207 Geneva, Switzerland

**Fax: +41 22 786 0662**

**Salutation: Dear Counsellor**

**COPIES TO:**

- Minister of Foreign Affairs,

Mr Kim Yong-nam, Ministry of Foreign Affairs,

Pyongyang, Democratic People's Republic of Korea

**Salutation: Dear Minister**

- diplomatic representatives of the People's Republic of China and the Democratic People's Republic of Korea accredited to your country.

**KEYWORDS:** PRISONERS OF CONSCIENCE1 / REFOULEMENT1 / INCOMMUNICADO DETENTION / POLICE / ILLEGAL IMMIGRANTS / FAMILIES / TORTURE/ILL-TREATMENT / SECOND GOVERNMENTS / PRISON CONDITIONS /

This is a Quick KOTARAN action (action ref KOTARAN 7/97), sent to KOTARAN coordinators for distribution to groups. It is sent to AI Sections for information.

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