

# URGENT ACTION

## NORTH KOREANS FACING FORCIBLE RETURN

**The Chinese authorities are preparing to forcibly return at least 21 people to North Korea, where they would be at serious risk of torture and other ill-treatment, forced labour and death. Any attempt to return them to North Korea, where they are at risk of grave human rights violations is against customary international law.**

The Chinese authorities are holding a group of at least **21 North Koreans** in the north-eastern city of Changchun for being in the country illegally en route to South Korea. They were initially detained in separate locations in Shenyang on 8 February. They intend to return them forcibly to North Korea reportedly by 20 February. If returned to North Korea, illegal border-crossers typically face arbitrary detention, torture and other ill-treatment, and forced labour. They are also at risk of enforced disappearance in North Korea.

While in China, some of the North Koreans captured are believed to have had contact with members of a South Korean-based organization who were trying to help them travel to South Korea. Such contact puts the North Koreans at risk of even harsher punishment if returned to North Korea.

Their plight is made even more precarious by a January announcement by the North Korean authorities condemning border-crossers and threatening them with severe punishments. The announcement comes at a time when the country's leadership is changing: Kim Jong-il died in December 2011, and has been succeeded by his son Kim Jong-un. Amnesty International is concerned that the denouncement of border-crossers could signal a crackdown against any potential dissent at this key time for North Korea

Although China is a state party to the UN Refugee Convention, it has prevented the UN refugee agency, the UNHCR, from gaining access to North Koreans in China. International law prohibits the forcible return either directly or indirectly of any individuals to a country where they are at risk of persecution, torture or other ill-treatment, or death. Amnesty International believes that all North Koreans in China are entitled to refugee status because of the threat of these human rights violations if they were to be returned.

### **Please write immediately in English or your own language:**

- Call on the authorities not to forcibly return the North Koreans held in Changchun to North Korea;
- Urge them to allow the North Koreans to travel to South Korea, or seek asylum in China and other countries;
- Call on them to provide the North Koreans with access to the UNHCR.

### **PLEASE SEND APPEALS BEFORE 28 MARCH 2012 TO:**

The State Council General Office  
 HU Jintao Guojia Zhuxi  
 2 Fuyoujie  
 Xichengqu  
 Beijingshi 100017  
 People's Republic of China  
 Email: [gov@govonline.cn](mailto:gov@govonline.cn)  
**Salutation: Your Excellency**

Premier  
 WEN Jiabao Guojia Zongli  
 The State Council General Office  
 2 Fuyoujie  
 Xichengqu  
 Beijingshi 100017  
 People's Republic of China  
 Fax: +86 10 65961109  
 (c/o Ministry of Foreign Affairs)  
**Salutation: Your Excellency**

**And copies to:**  
Minister of Foreign Affairs  
 YANG Jiechi Buzhang, Waijiaobu  
 2 Chaoyangmen Nandajie  
 Chaoyang District  
 Beijingshi 100701  
 People's Republic of China  
 Fax: +86 10 65961109 or 65962660  
 Email: [webmaster@mfa.gov.cn](mailto:webmaster@mfa.gov.cn)  
**Salutation: Dear Minister**

**Also send copies to diplomatic representatives accredited to your country.**

Please check with your section office if sending appeals after the above date.

**AMNESTY  
INTERNATIONAL**



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### ADDITIONAL INFORMATION

North Koreans are not allowed to travel abroad without state permission. However, thousands of North Koreans illegally cross the border into China every year despite significant risks. China considers all undocumented North Koreans to be economic migrants, rather than asylum-seekers, and returns them to North Korea if they are caught.

The North Korean government refuses to recognize or grant access to international human rights monitors, including Amnesty International and the UN Special Rapporteur on the situation of human rights in North Korea. Ongoing restrictions on access for independent monitors, and intergovernmental and humanitarian organizations impede efforts to assess the human rights situation in the country.

Name: At least 21 North Koreans

Gender m/f: Both

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