

URGENT ACTION

NO DETAILS ABOUT DETAINED NORTH KOREANS IN CHINA

No official information has been made available regarding eight North Koreans that have been detained in China since mid-March 2017. If forcibly returned to North Korea, they are at risk of arbitrary detention, torture or other ill-treatment, enforced disappearance and execution. Without news about their health, families remain concerned for their well-being.

In mid-March 2017, a group of eight North Koreans were stopped by traffic police while travelling in Shenyang city in Liaoning province, in north-eastern China and bordering on North Korea. According to Human Rights Watch, they were taken to the local police station after officials realized they did not hold any valid identification documents. The location and condition of the eight have not been confirmed since mid-June when a pastor reported that the group was being detained at the same police station and were at risk of imminent forcible return to North Korea.

Among the group are two women who said they had previously been sold to Chinese men and were beaten by them. While two other women had suffered injuries they were unable to be treated at a hospital due to their undocumented status in China.

The Chinese government considers North Koreans crossing the border into China without prior permission not as refugees, but as irregular, economic migrants, and forcibly returns them regularly to North Korea if caught. Although China is a state party to the UN Refugee Convention, it does not currently allow the UN refugee agency, UNHCR, access to North Koreans fleeing their country.

Forcibly repatriated North Koreans are often subjected to arbitrary imprisonment, forced labour, torture or other ill-treatment, and possibly execution. According to a report issued by the United Nations in 2014, some repatriated women were subject to treatment violating the prohibition of torture and other ill-treatment, including forced abortions at detention facilities after being returned.

Please write immediately in English, Chinese or your own language urging the Chinese authorities to:

- Immediately disclose the whereabouts and condition of the eight North Koreans and ensure they are protected from torture and other ill-treatment while in detention and have prompt access to legal counsel of their choosing and any necessary medical treatment;
- Stop the forcible return of any person to North Korea, including this group of eight detained North Koreans;
- Grant refugee status to those North Koreans who are entitled to it and to give them immediate access to the UNHCR

PLEASE SEND APPEALS BEFORE 16 NOVEMBER 2017 TO:

President
Xi Jinping
The State Council General Office
2 Fuyoujie
Xichengqu, Beijingshi 100017,
People's Republic of China
Fax: +86 10 6238 1025
Email: gov@govonline.cn
Salutation: Dear President

Director
Wang Dawei
Liaoning Public Security Department
No. 2 Qishanzhonglu
Huangguqu
Shenyangshi
Lianingsheng 110032
People's Republic of China
Salutation: Dear Director

And copies to:
China Office, UNHCR
1-2-1, Tayuan Diplomatic Office Building,
14 Liangmahe Nan Lu,
Beijingshi 100600,
People's Republic of China
Telephone: (+86) 10 6532 6806
Fax: (+86) 10 6532 1647
Email: chibe@unhcr.org

Also send copies to diplomatic representatives accredited to your country. HIS EXCELLENCY MR LIU XIAOMING, Embassy of the People's Republic of China, 49-51 Portland Place W1B 1JL, 020 7299 4049, press_uk@mfa.gov.cn

Please check with your section office if sending appeals after the above date. This is the first update of UA 163/17. Further information: <https://www.amnesty.org/en/documents/asa17/6652/2017/en/>

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

In February 2014 the UN Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea (North Korea) released its *Report of the detailed findings of the Commission of Inquiry on human rights in the Democratic People's Republic of Korea* (DPRK). The report documents the systematic, widespread and grave violations of human rights in the country. Individuals or families in the DPRK fled the country to escape persecution for political or religious reasons. They also often have no choice but to cross the China-North Korea border illegally for the desperate need of food and work.

Border controls in North Korea have reportedly been tightened in recent years since Kim Jong-un came to power in December 2011. The North Korean government condemned people crossing the border without prior permission and threatened them with severe punishments. The fortified security measures have caused a decrease in these crossings since 2012, but they have not stopped.

The principle of non-refoulement, codified in the UN Refugee Convention which China is a state party to, and in other international human rights treaties binding on China prohibits the transfer of anyone to a place where they would be at real risk of serious human rights violations or abuses. This principle has also achieved the status of customary international law, binding on all states regardless of whether they have ratified the relevant treaties. Amnesty International believes that anyone fleeing North Korea is entitled to international protection because they are at risk of serious human rights violations if returned to North Korea just for having left the country.

Further information on UA: 163/17 Index: ASA 17/7181/2017 Issue Date: 6 October 2017