

URGENT ACTION

MOTHER AND CHILD AT RISK OF FORCIBLE RETURN

Lee Su-jung (name being used in China, aged 24) and her son (aged 4) are currently in detention in Shenyang, China, along with 8 other North Koreans. If forcibly returned, they are at risk of persecution or other serious human rights violations, such as arbitrary detention, torture or other ill-treatment and possibly execution.

Lee Su-jung arrived in China from Hoeryeong, a city near the northeastern border of North Korea on 17 October with her son. They were joined by 8 other North Koreans upon arrival. The group of 10, of which seven were women or girls, travelled with a broker to the city of Shenyang. Lee Su-jung maintained contact while in China with **Lee Tae-won**, her husband in South Korea by mobile phone.

Early in the evening of 4 November, Lee Tae-won was talking to his wife on the phone, but the conversation was interrupted, and he heard what he thought might be the detention of Lee Su-jung and their child by the police. Lee Tae-won, who left North Korea in 2015 and now lives with his mother and brother in South Korea, has not been able to contact her since. Through other intermediaries, he received confirmation on 12 November that his wife and son were detained in the Santaizi Detention Centre in Shenyang.

According to Lee Tae-won, his wife has a weak heart and has been regularly receiving medical care for a related illness. Their son suffers from asthma and often has lung problems during cold weather. They are at risk of not receiving adequate medical care during detention.

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. The Chinese government considers North Koreans crossing the border into China without prior permission not as refugees, but as irregular, economic migrants and usually forcibly returns them to North Korea if caught. Forcibly repatriated North Koreans are often subjected to arbitrary imprisonment, forced labour, torture or other ill-treatment, and possibly execution.

Please write immediately in Chinese, English or your own language:

- Stop the forced return of any person to North Korea, including Lee Su-jung and her son;
- Grant refugee status to those North Koreans who are entitled to it, give them immediate access to UNHCR or allow them to travel to South Korea or other countries to seek asylum;
- Ensure Lee Su-jung, her son and the other eight North Koreans in the group 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.

PLEASE SEND APPEALS BEFORE 27 DEC 2017 TO:

President

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

Director

Santaizi Police Station
8 Baihuashan Lu
Huanggu Qu, Shenyang Shi
Liaoning Shen 110034
People's Republic of China
Tel: (+86) 24 8659 4955
Salutation: Dear Director

And copies to:

China Office, UNHCR
1-2-1, Tayuan Diplomatic Office Building,
14 Liangmahe Nan Lu,
Beijing Shi 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.

**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 due to the desperate need for 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 Chinese government considers North Koreans crossing the border without prior permission not as asylum seekers, but as irregular, economic migrants. If caught, they would be forcibly returned to North Korea. According to Human Rights Watch, China has detained at least 41 refugees since July 2017, and has forcibly returned at least 37 North Koreans, out of an estimated 92 detained since July 2016.

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.

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