

North Korean Refugees in China: A Human Rights Perspective

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by James Seymour

The following is the Executive Summary. The complete report is available at

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In the wake of the North Korean famine, which began in 1995, hundreds of thousands of people fled to northeast China. Although many returned and a smaller number went to third countries, many tens of thousands remain. They face two main problems. First is the mistreatment they sometimes receive. China does not recognize them as refugees, or even the legality of their being in the country, so they are forced into an underground existence, making them targets for economic and sexual exploitation.

Secondly, Chinese authorities take the position, at least implicitly, that their obligation to return these people to the Democratic People's Republic of Korea supersedes any obligations they would have under the international human rights covenants and refugee conventions. Thus, many people have been forced back to North Korea against their will, where some have been imprisoned and apparently sometimes executed for the "crime" of leaving the country. Although this situation may have improved somewhat, the refugee seekers in China live in constant dread of being returned to North Korea, and are thus in a position to be blackmailed or otherwise abused.

China has been reluctant to allow these people to move on to other countries, and absolutely unwilling for them to travel directly to the Republic of Korea. For its part, South Korea has been willing to accept them, at least at recent levels (1,040 in 2003), but takes the position that the real solution to the problem is improving economic conditions in the North.

The international community has gradually been taking a more proactive stance. The United Nations through UNHCR is speaking out more forcefully than in the past. However, China has generally been unwilling to permit access to the North Koreans in the northeast. It is primarily in the case of those seeking refuge in diplomatic compounds that the UNHCR has been able to be helpful.

Non-governmental organizations have been active in the northeast, but they operate under severe constraints, and are only able to reach about a fifth of the local North Korean population.

The United States Congress has recently taken a forceful position, and opened up the possibility of substantial funding to assist these people. However, the measure is widely perceived as part of a religious and anti-communist agenda, and has been rebuked both by China and Pyongyang.

The paper concludes by outlining some measures that could be taken by China, by the two Koreas, and by the international community to ameliorate the situation of the North Korean refugee seekers.

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