

## BACKGROUND INFORMATION on NORTH KOREAN REFUGEES

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Tokyo, Japan

This information package was distributed as a press kit at a news conference held in Tokyo in late 2002. Much has happened in the two and a half years since then, but sadly, the refugees pouring out of North Korea still have found little international recognition and virtually no acceptance. Their lives remain a bitter struggle for survival.

Thus, the information in this document remains relevant.

If you would like a more complete look into the ongoing situation, please refer to our organization's English language website at <http://www.NorthKoreanRefugees.com>

Regards from Japan,  
Kato Hiroshi  
Secretary General

Life Funds for North Korean Refugees  
A-101 Nishi Kata Hyteru  
2-2-8 Nishi Kata, Bunkyo-ku  
Tokyo, Japan 113-0024  
Tel / Fax +81-3-3815-8127

# JOINT PRESS CONFERENCE on NORTH KOREAN REFUGEES

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Tokyo, Japan

27 Nov. 2002

## Participants:

- Mr. Willy Fautre  
Director of NGO Human Rights Without Frontiers, Brussels (Belgium)
- Dr. Tarik M. Radwan  
Attorney, Just Law International, P.C.
- Dr. Norbert Vollertsen  
German Doctor and Humanitarian Aid worker
- Mr. Sang Hun Kim / Mr. Do Hee Youn  
Former UN official and Voluntary Human Rights Worker
- Mr. Hiroshi Kato  
Secretary General of NGO Life Funds for North Korean Refugees

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MR. WILLY FAUTRE

HUMAN RIGHTS WITHOUT FRONTIERS

## Human Rights Without Frontiers

Mr. Willy Fautre

As the executive director, Human Rights Without Frontier, based in Brussels, Belgium, I wish to ask the Chinese Government to explain and clarify the following questions that are crucially relevant to its international obligations:

### **Is the status of North Korean defectors in China subject to international law or national law?**

It is our firm belief that the question of refugee status is an international issue and therefore should be governed by relevant international laws (i.e. 1951 Convention Relating to the Status of Refugees and the Protocol thereto of 1967) and not to be determined by Chinese national law or any political or economic considerations.

Furthermore, your government has accepted that “an international human rights agreement...is binding under Chinese law and China must honour the corresponding obligations...In the event of discrepancies between domestic law and an international human rights agreement...the international agreement will take precedence... (Report of China – HRI/CORE/1/Add.21/Rev.2, 11 June 2001).

### **Please explain on what basis the defectors are denied the right to even substantiate their claims as refugees.**

Very regrettably, the Chinese Government is applying national law to an international issue that is to be governed by customary international law. Accordingly, if the Chinese Government should punish the defectors under the national law, it must first explain why the defectors are not eligible for refugee status under customary international law. Arresting defectors without this explanation and without granting them the benefit of fair and efficient asylum procedures makes the Chinese government’s decision appear highly arbitrary, and defiant of human rights principles and international justice. *In the name of fundamental human rights and humanity, the international community has the right to request the Chinese Government to first publicly articulate why the defectors in question have not been found eligible for refugee status.*

### **Can the Chinese Government justifiably charge the defectors with ‘Illegal Entry?’**

Without fair and efficient asylum procedures, the Chinese authorities charge all the defectors with “illegal entry” for their presence in China. It must be indicated that this is in violation of the 1951 Convention, Article 31, which prohibits the Contracting States from imposing “...penalties, on account of their illegal entry or presence, on refugees...” Illegal entry, therefore, does not preclude defectors from being refugees they claim to be. All individuals who commit desperate acts, such as illegal entry, should be granted the opportunity to substantiate their claims in accordance with the international refugee laws that were established to protect them. (Technically, the defectors in question are “illegal border crossers” at the very outset. In essence, no concept of ‘refugee’ could exist anywhere in the world and no refugee laws could be in place if defectors are unconditionally arrested solely based on their illegal entry or presence, as in China.)

**How does the Chinese Government justify punishing aid workers who help “Illegal Immigrants” when they act on humanitarian grounds?**

All governments have the sovereign right to deal with illegal immigrants. However, the Chinese Government punishes not only those it labels ‘illegal immigrants’, but also anyone helping them based on humanitarian grounds. Such ill-advised actions are inconsistent with the prevailing norm of behavior consistent with international community membership. By so doing, isn’t the Chinese Government forcing innocent citizens and international aid-workers to deny fundamental human rights to people in distress? Is the Chinese interpretation of humanity at odds with the rest of the world?

**Are the defectors economic migrant and, therefore, not refugees?**

On the basis of abundance of information documented and available to us, we believe that none of the North Korean defectors was in China with the intent to pursue business or seek gainful employment. A migrant enjoys the protection of his or her home government; a North Korean defector does not.

Ironically, and to further illustrate this point at issue, many defectors have been arrested while attempting to leave China for a third country. We are compelled to raise the question: If the defectors are economic migrants, pursuing business and/or seeking gainful employment in China, why then would they attempt to leave China at the first opportunity, bound for a third country wherein lies far less economic opportunity than China (e.g. Mongolia, Myanma, Laos)? Their continuing attempts to leave China betray the Chinese Government’s allegation of their motives as “economic migrant” and clearly manifests their purpose to seek freedom.

One very recent case in point: a group of 18 North Korean defectors were arrested by the Chinese authorities at a location near China/Vietnam border on November 13, 2002. The group includes a 7-month old baby and 4-year old child. They are now believed to be detained in Nanning city, Guangxi Province, China. If they were indeed economic migrants? Why would they attempt to leave China at the very first opportunity.

***In conclusion, I wish to appeal to the government of China for the prompt and peaceful settlement of the issue so that due international procedures are followed and the defectors’ rights as refugees are respected, particularly at this time of extraordinary difficulty for such a large number of innocent people. Thank you.***

Willy Fautre, Human Rights Without Frontiers

**Statement by Willy Fautré**  
**Director of *Human Rights Without Frontiers***  
**Press Conference**  
**Tokyo, 27 November 2002**

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**North Korean Refugees in China**  
**Who Must Have the Authority over Them:**  
**Beijing or the UNHCR?**

The UNHCR Global Report for 2001 reads:

“UNHCR’s international protection function, as derived from its Statutes and the 1951 Convention, has evolved steadily over the past five decades. It began almost as a surrogate for consular and diplomatic protection and has now expanded to include ensuring the basic rights of refugees and their physical safety and security. The Office assists host governments to safeguard the basic rights of refugees and to take the necessary measures to guarantee protection throughout the displacement cycle, from preventing *refoulement* and securing asylum to the realisation of durable solutions (voluntary repatriation, local integration and resettlement). Various protection-related activities are undertaken both in the field and at Headquarters, including:

- Ensuring the granting of asylum, and admission to asylum countries, and intervening, where necessary, to avoid *refoulement* and to ensure access to refugee status determination procedures;
- Assessing needs and monitoring the treatment of refugees and asylum-seekers;
- Ensuring, together with host governments, the physical security of refugees and other persons of concern;
- Identifying vulnerable groups, ensuring their particular protection needs and prioritising assistance to ensure their well-being;
- Supporting a number of States to establish registration and documentation systems and participating in national refugee status determination procedures or directly undertaking determination of refugee status.”

Despite the UNHCR protection mandate, we have all witnessed the desperate and hopeless flight of North Koreans into diplomatic missions in Beijing as the only safe haven for them. The media images are still lingering with us. The ensuing questions, however, still remain unanswered:

- Who is to guarantee the physical safety and security of the thousands of North Koreans living in constant fear of being arrested by Chinese authorities and forcibly repatriated;
- Who is to intervene when North Koreans are denied any access to international monitoring procedures of their needs and the way they are treated by the Chinese authorities;
- Who is to ensure access of North Korean asylum-seekers to refugees status determination procedures?

On 24 September 1982, China acceded to the 1951 UN Convention Relating to the Status of Refugees and to the 1967 Protocol.

On 1 December 1995, the United Nations High Commissioner for Refugees and China signed an agreement on the upgrading on the UNHCR Mission in China to UNHCR Branch Office. On this date, the UNHCR mission in China was upgraded to a branch office for “the purpose of providing international protection and humanitarian assistance to refugees in the host country”. Paragraph 5, Article III of this agreement provides for the UNHCR “unimpeded access to refugees”.

Contrary to these commitments, the North Korean asylum-seekers have been denied international protection and humanitarian assistance and the UNHCR Branch Office in China is not in a position to assess their needs, to monitor their treatment by the Chinese authorities or to establish status determination procedures.

Still worse, since last March the Chinese authorities have been conducting a systematic and continuing crackdown on North Korean asylum-seekers as well as on local and international NGOs and individuals who are helping them on humanitarian grounds. As of this moment, a truck of North Korean asylum-seekers is probably being sent back to North Korea by the Chinese authorities without any international monitoring and intervention. It is obvious that China has unilaterally taken upon itself the “duty” of solving the issue by means of an unhindered silencing of North Koreans in their desperate call for international recognition of their refugee status.

As a human rights organisation, we are very much concerned with the tragic fate of all North Korean asylum-seekers and most particularly, those who have been forcibly repatriated and those who are still held in Chinese custody with uncertain future. We are concerned with the ongoing persecution by the Chinese authorities of local and international NGOs and individuals who are desperately trying to provide humanitarian assistance to North Koreans in China.

***Human Rights Without Frontiers*** believes that there are outstanding issues that have to be dealt with urgently:

**First, the forced repatriation of North Korean asylum-seekers constitutes a violation of international law and has to be recognised as such. Therefore, the Chinese authorities should immediately stop the forced repatriation of North Koreans.**

**Second, the Chinese government should allow the international community to provide direct and unhindered assistance to North Koreans and to ensure their physical safety and security.**

**Third, the Chinese authorities should provide the UNHCR with unimpeded access to North Korean refugees.**

**Fourth, the UNHCR should immediately conduct an investigation of the conditions of North Korean refugees in China.**

**And fifth, the UNHCR should establish status determination procedure and North Korean asylum-seekers should be given legal refugee status in accordance with international law.**

**Human Rights Without Frontiers**

**Willy Fautré/ Nadia Milanova**

**Website: <http://www.hrwf.net> - Email [info@hrwf.net](mailto:info@hrwf.net) - Phone 32 2 3456145 – Fax 32 2 3437491**

# Human Rights Without Frontiers

Avenue Winston Churchill 11/33, B-1180 Brussels

Email: [info@hrwf.net](mailto:info@hrwf.net) - Website <http://www.hrwf.net>

Bank account : Bank BBL 310-1361299-87 - Swift code: BBRU BE BB100

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## History and Activities

***Human Rights Without Frontiers*** was founded in December 1988 and legally registered as a non-profit making association in 1989. Its object was and still is **to promote democracy, the rule of law and the rights of the individual - man, woman and child - everywhere in the world.** The main activity of the organisation was the publication of a monthly magazine in French bearing the same name, financed by the French-speaking community of Belgium and dealing with human rights in various parts of the world: Africa, Latin America, East and Central European countries under communism. It was later replaced by a bimonthly magazine.

The first four-colour magazine was published in English in 1992. It was dealing with religious intolerance and discrimination in Greece. In the following years, it has progressively dealt with one topic per issue. Partnerships were then concluded with ethnic and religious groups based in Belgium and abroad fighting for their rights: Assyrians in Turkey, Kurds in Iraq, religious minorities in Greece, ethnic groups in Rwanda and Burundi, etc. Bilingual issues (English-French) have appeared since 1993.

In 1995-1996, a project carried out by ***Human Rights Without Frontiers*** in **Albania, Bulgaria and Romania** with local NGOs was subsidised by the **Phare Programme for Democracy**, an initiative of the European Union to help promote democratic societies in countries of Central and Eastern Europe. The project enabled HRWF to strengthen its ties with Central European countries and to develop its network of supporters and correspondents. The programme of activities was quite extensive: publication of a magazine in four languages and of a 48-page report in 5 languages, seminars, press conferences, etc.

In 1995, ***HRWF*** started an email press service in French about religious intolerance and discrimination in the world. In the next few years, there was a progressive shift to the English language and from 2001 on, this press service has been distributed only in English. From Brussels, it reaches 500 people and institutions but it is also forwarded by a correspondent in London to all the members of the House of Lords and the House of Commons and by our US branch to all the members of the Congress and the Senate.

The website of DHSF/HRWF (bilingual French and English) was inaugurated on 10 December 1998 (10<sup>th</sup> anniversary of the Universal Declaration) and replaced the publication of the magazine.. It contains reports and research work on:

- European institutions and human rights;
- human rights in North Korea;
- human rights in Belgium;
- human rights in Tunisia;
- national minorities in Belgium;
- freedom of religion and belief in the world;
- trafficking in persons;
- links to other human rights organisations;
- announcements about HRWF activities: summer courses, internships, etc.

The website is mainly visited by state agencies, university professors and students, journalists, NGO activists, individuals.

The creation of a website was a landmark in **HRWF** history. The quality of its information and of its experts' analyses increased its reputation: invitations to:

- hearings at the Congress in Washington and at the State Department in 1998, 1999, 2000, 2001;
- international conferences as guest-speaker (Paris, Geneva, London, Krakow, Warsaw, Vienna, Stockholm, Washington, Hartford, Provo, Heidelberg, Tokyo, Sofia, Bucharest, etc.).

**HRWF** has its main seat in Brussels with branches in the United States and in Nepal, and associated member organisations in Bulgaria and Japan.

Since 2000, **HRWF** has started a programme of internships for students and postgraduates (from 2 to 5 months) from Harvard Law School, Emory University, Washington School of Law, University of Chicago, Brussels School of International Relations, University of Essex, University of Aberdeen, Central European University, University of Tokyo.

### **3.2. What are the main activities of your organisation at present?**

The main activities are:

- to train university students and post-graduates about research and advocacy in the field of human rights;
- to distribute a daily email press service in English on "Religious intolerance and discrimination" worldwide;
- to distribute a regular press service in English on "European institutions and human rights", "Human rights in North Korea", "National minorities in Turkey", "Human rights in Belgium"; "Human Rights in Tunisia";
- to organize fact-finding missions and research abroad;
- to run a website with a library online;
- to propose and advocate alternative draft laws on a number issues in Belgium, Central Europe and Eastern Europe;
- to prepare dossiers on the status of human rights in various countries, requested by non-violent individuals or organizations concerned with the protection of human rights, democracy and rule of law;
- to organize general conferences, press conferences, seminars, symposiums, sessions for the promotion of and education on human rights;
- to take part as a guest-speaker or a co-organizer in international conferences; on the agenda for the first semester of 2002: Washington (January), Tokyo (February), Brussels (May), Sofia and Bucharest (June);
- to develop our international network of correspondents, experts, consultants and legal advisers.

**Visit our website [www.hrwf.net](http://www.hrwf.net)**

**Donations can be made from our website  
Tax exemption for U.S. citizens**

## Curriculum Vitae

**Name:** Willy FAUTRE

**Address:** 30 Chemin de la Mastelle, 7063 Neufvilles. Belgium.

Tel. 067/ 33 39 95 - Fax: 067/ 33 63 45 – Email: [willy.fautre@hrwf.net](mailto:willy.fautre@hrwf.net)

Website <http://www.hrwf.net>

**Nationality:** Belgian

**Mother-language:** French

**Knowledge of the following languages:** English, German, Dutch, Italian

**Professional qualifications:** University degree in English, Dutch and German –  
Journalist (Religious News)

### Professional Experience

#### Education

1964-1995: Language teacher (English, German, Dutch) in a teachers' training college

1984-1985: Chargé de mission at the Cabinet of the Ministry of Education for linguistic exchanges between French- and Dutch-speaking students in Belgium

1988-1989: On assignment at the Belgian Parliament

#### Human Rights

**Journalist, member of the *Belgian Association of Journalists of Religious Information***

**Consultant to the *International Helsinki Federation (Vienna)***

**Founder and chairman of *Human Rights Without Frontiers/Belgium* since 1989**

**Director of *Human Rights Without Frontiers International***

1968-1995: Journalist for religious publications (Reports for various magazines)

1978-1996: Founder and editor-in-chief of EGLISI, press service for freedom of religion and beliefs: publication twice a month (10 pages of information in French and Dutch/ more than 320 issues in 18 years)

1991-1996: Press correspondent for the American news agency "**News Network International**"

1996-2002: Press correspondent for the American news agency "**Compass Direct**".

#### ***Some fact-finding missions:***

- 1984: Enquiry about the civil war in Nicaragua. Duration: 3 weeks.
- 1987: Travel to Moscow and contacts with dissident circles for the "***Internationale Gesellschaft für die Menschenrechte***" (Frankfurt am Main). Duration: 1 week.
- 1988: Travel to Moscow and Leningrad + contacts with dissident circles for the "***Internationale Gesellschaft für die Menschenrechte***". Duration: 1 week.
- 1989: Enquiry in Panama on human rights violations committed by Noriega for the "***Internationale Democrate Chrétienne***". Duration: 1 week.

- 1990/ 1991/ 1992/ 1993/ 1994: Five fact-finding missions and visits of military and agricultural prisons in Greece. Object: Conscientious objection and religious intolerance. Duration: Between 1 and 3 weeks each time.
- 1993/1994/1995/1996: Fact-finding missions to Albania, Romania, Bulgaria, Azerbaijan for "***Droits de l'Homme sans Frontières***"
- 1997: Latvia
- 1998: Azerbaijan (Attending a trial)
- 1999: Russia, Poland
- 2000: Azerbaijan and Georgia
- 2002: Japan (Investigation on some minority religions) – South Korea (Refugees from North Korea) – Tunisia

### ***Organizing press conferences:***

at the Belgian Parliament

- . in 1993 and 1994 on Burundi
- . in 1994 and 1995 on the Assyrian minority in the Middle East
- . in 1995 on ethnic and religious minorities in Turkey
- . in 1999 and 2000 on the independence of attorneys in Belgium
- . in 2001 on human rights in North Korea

at the European Parliament

in 1998 about the cult issue in Belgium

in London, Köln, Hannover, Athens and Brussels

in Paris in 1997 and in 1998

in Budapest in October 2000.

### ***Attending international conferences:***

OSCE/ ODIHR Meetings in Warsaw: 1998, 1999, 2000, 2001

### ***Participation in international conferences as guest-speakers (See Annex)***

Close collaboration with

- U.N. Special Rapporteur on religious intolerance and discrimination, Mr AMOR ABDELFATTAH
- Universities in Europe and in America

*Reports and essays for various university publications, for press agencies*

Author of the book "**Nos Prisonniers du Goulag**" (120 pages) published in 1980.

1995-1996: Manager of a Phare and Tacis Democracy Programme on "**Religious minorities in Albania, Bulgaria and Romania**" funded by the European Commission.

## Annex I

Guest-speakers at the following conferences

### 2002

June: Sofia (Bulgaria) – Oradea (Romania)  
April: Brussels (Belgium)  
February: Tokyo (Japan)  
January: Washington (USA)

### 2001

7-8-9 June 2001: University of Heidelberg (Germany)  
3-4 May: Stockholm School of Theology (Sweden)  
25-26 April: Institute on Religion and Politics in Washington (USA)

### 2000

2-5 November 2000: International Helsinki Federation (Prague)  
30 November 2000: Utica College (NY, USA)

### 1999

Brigham Young University, Provo (USA) 3 - 5/10/1999  
Trinity College, Hartford (USA) 26 - 27/09/1999  
Newbold College, Bracknell, Berkshire, England - 10/09/1999  
Cesnur, Bryn Athyn, USA - 03/06/1999  
CSCE Hearing, Washington (Capitol) - 08/06/1999  
George Washington University Law School - Washington - 29/01/1999  
International Commission on Freedom of Conscience - Washington - 30/01/1999  
University of Central Lancashire, London - 06-07/01/1999

### 1998

CSCE Hearing, Washington DC (Capitol) - 22/07/1998

### 1997

Slovak Ministry of Culture *Bratislava*- 2-3/10/ 1997  
The Rutherford Institute , *Paris* - 02-03/08/1997

### 1996

Phare Programme (European Commission)  
Sofia, Bucharest, Tirana - 21-22-23/02/1996

**DR. NORBERT VOLLERTSEN**

## Urgent Attention

By Norbert Vollertsen

I wish to bring to your immediate attention to a group of 18 North Korean defectors who were arrested by Chinese authorities at a location near the China/Vietnam border on November 13, 2002. The group of detained North Koreans includes a 7-month old baby and a 4-year old girl. It is now believed that they are detained in Nanning City, within the Chinese province of Guangxi.

If repatriated, this group of defectors will be subject to severe punishment in North Korea. This conclusion is essentially based on the location of their arrest, which reveals their intent to go to South Korea. The 18 includes those who had been previously arrested and sent back to North Korea by Chinese authorities. It also includes a 30-year old woman from a farm family, who had first been driven by five consecutive days without food to cross the border from North Korea to China on Dec. 21<sup>st</sup>, 1997. Vulnerable to human traffickers in China, she was forced to marry Chinese farmers on five separate occasions in China. Another woman in the group, also a farmer, had gone without food for three days and, in desperation, defected to China on March 11, 1997. She met a similar fate and was forced to marry three separate Chinese men. Both women sought decent lives and freedom in South Korea.

After repatriation they will, no doubt, be subjected to months of detention at various centers in North Korea with conditions that can only be described as atrocious at best. To meet such a fate once more upon another repatriation to North Korea, it is absolutely clear that their lives will be placed in the gravest jeopardy. For what reason? They will be charged with a repeated crime against the "Fatherland" as described in Article 47 of the North Korean Criminal Code.

We cite the following example for the abovementioned conclusion; Mr. Chong Kum-ho, 47 years old. (date of birth: June 16, 1955), factory worker and a farmer in Wundok District, North Hamkyong Province, North Korea, defected to China in May 1997 with his wife, Lee Chong-suk, (date of birth: December 4, 1958). The couple was arrested by the Chinese border patrol in the China/Mongolia border town of Allenhof on May 27, 2001 during the couple's attempt to cross the border to Mongolia. On July 3, 2001, the husband and wife were repatriated by the Chinese to North Korea. The husband and wife became subject to all forms of torture as political prisoners bearing the grave accusation of betraying the Leader and Fatherland (North Korean Criminal Code Article 47). The wife was sentenced to serve a 10-year prison term in Hamhung Prison, South Hamkyong Province. The husband was sentenced to a 8-year prison term in Chonggori prison, North Hamkyong province. The wife's heavier penalty was attributed to the fact that her attempted border crossings exceeded her husband's.

Your urgent attention and action pertaining to the plight of these 18 can make a significant difference in their fate and will be greatly appreciated. Please join our appeal to the Government of China to stop the repatriation of these North Korean defectors into the hands of proven brutal persecutors in North Korea.

Report by: Norbert Vollertsen

Please send your appeal to:

Embassy of the People's Republic of China  
4-33 Moto Azabu 3-chome, Minato-ku, Tokyo 106-0046

## Human Rights in North Korea and the North Korean Refugee Crisis

By Norbert Vollertsen

For almost a decade, an unknown number of North Korean citizens – possibly as many as 300 000 have defected to China from Stalinist oppression and hunger in North Korea. In China, however, they have been always arrested and forcibly returned to North Korea to face severe persecution, an extreme human tragedy of enormous magnitude. Nevertheless, all these years their horror stories remained, by and large, untold to the outside world, while the Chinese authorities resorted to their well established “refoulement” policy.

The exodus of these desperate North Korean refugees to China and elsewhere, and their revelations of unspeakable sufferings and brutal oppression by the “evil” regime of Kim Jong-Il has to be brought to public attention far more forcefully than before.

Before I learned about the situation of these refugees I had the chance to learn firsthand about the cruel reality inside North Korea. I was a member of a German medical group, Cap Anamur, and entered North Korea in July 1999 to carry out humanitarian medical assistance. I remained in North Korea for 18 month until I was expelled on Dec. 30, 2000 for publicly denouncing the regime for abusing basic human rights and for its failure to distribute the massive foreign food aid to the people who needed it most.

Early on during my stay I was summoned to treat a workman who had been badly burned by molten iron. My colleague at that time and I volunteered our own skin to be grafted onto this patient in order to show our friendship with the ordinary North Korean citizens. For this action we were nationally acclaimed by the media and awarded with the Friendship medal, the only two western foreigners ever to receive this high honor.

Together with this medal I was issued a somewhat VIP-passport and a driver’s license, which allowed me to travel to many areas inaccessible to foreigners and to ordinary North Koreans citizens. I even secretly photographed my patients and their decrepit surroundings.

While acting as an Emergency doctor and looking for the victims of many accidents I also visited a number of other hospitals in other provinces beside the official ten hospitals and three orphanages I was assigned to. In order to deliver clothes to the North Korean children I also visited several dozens kindergartens all over the country side.

In every hospital I visited I found unbelievable deprivation and I was shocked to see patients and orphans in these places. There were no bandages, no scalpels, no antibiotics, no operation facilities – only broken wooden beds supporting starving children waiting to die. In the hospitals the doctors were constantly using empty beer bottles as vessels for dripping, and safety razors as scalpels – there was even an appendectomy without any anesthesia. They insisted on the serious shortage of medical products and equipment while I found throughout my “investigations” that there was a large stock of bandages and other medical goods in governmental storehouses and in diplomatic shops.

There are two worlds in North Korea. The world for the senior military, the members of the workers party and the country's elite where they are enjoying a nice lifestyle with fancy restaurants, diplomatic shops with European food, nightclubs and even an casino and the world for the ordinary people.

In the world for these ordinary people in a hospital one can see young children, all of them too small for their age, with hollow eyes and skin stretched tight across their faces, wearing blue-and-white-striped pajamas like the children in Auschwitz and Dachau in Hitler's Nazi-German.

Most of the patients in the hospitals suffer from psychosomatic illnesses, worn out by compulsory drills, the innumerable parades, the assemblies from 6:00 in the morning and the droning propaganda. They are tired and at the end of their tether. Clinical depression is rampant. Alcoholism is common because of mind-numbing rigidities and hopelessness of life.

The patients in the North Korean hospitals are looking exhausted and fed up. The condition of the children was deplorable, emaciated, stunted, mute, emotionally depleted. Young adults have no hope, no future and anxiety is everywhere. One can only wonder why there are so many orphans. Constraints and difficulties of operating in North Korea effect any accountable humanitarian aid assistance. There is no effective monitoring because there is no freedom of movement for the international humanitarian aid agencies. Nobody really knows where the food is going to.

Before Cap Anamur came to North Korea other humanitarian agencies like MSF, OXFAM, ACF and CARE pulled out of North Korea, because they were not allowed to distribute the aid directly to the people. They had to turn it over to the government for the authorities to carry out the distribution and it is not possible to proof if a substantial portion of the foreign aid is going to the army or to those with status or sold to other countries. I myself did not witness any improvement in the availability of food and medicine or in the general living conditions during my whole staying.

Knowledge about the overall humanitarian situation in North Korea is also not available for the normal foreign visitor, aid worker or diplomat. Protection of the humanitarian interests of the population is not possible. General social and political rights, as basic rights grants to human beings in freedom of speech, the press, assembly, demonstration, ideology, religion and association are restricted in North Korea.

There is no activity in any of the churches in Pyongyang. It is a show cast for all the foreign visitors. When we were shown around the "priest" was only talking about the money – investment for the church, Kim Jong-IL and his goodwill towards the Christian community but there was no word about religion. And – what surprised us the most – when the priest talked about the open service in the church every Sunday morning we found all the seats in the church full of dust – never used in the last months, maybe years.... Also whenever I passed

the church on a Sunday morning there was actually no activity – not even one of the 300 or 400 Christians the priest was talking about.

In North Korea the life of the workers has reached its limit, the life of the peasants is in a desperate condition too. The deprivation of the basic right to exist is obvious. The ordinary people are starving and dying. Violation of the freedom of personal inviolability and conscience by unwarranted arrest and detention is common and one can only imagine what the conditions are like in the so-called “reform institutions”, where entire families are imprisoned when any member does or says something that offends the regime. These camps are closed to all foreigners, even the International Federation of the Red Cross has been denied access.

In the last Stalinist country on earth sexual violence against women, used like modern “comfort women”, forced labour and torture is an important mean for maintaining the suppression of any opposition. An repressive apparatus is acting whenever there is any criticism and the constriction of human rights by intelligence surveillance, shadowing, wiretapping and mail interception is enormous. The oppressive nature of the police forces is evident and obvious at every street corner.

If the main medical diagnosis in North Korea is fear and depression because of man-made policy and not because of “natural disasters” one has to think about the right therapy and to speak out publicly about repression and human right abuses.

I realized that the only way to rescue people in North Korea in poverty and difficulty is to let the world know the real state of this country. So according to my extended possibilities with the friendship medal I guided around Pyongyang a group of journalists accompanying Mrs. Albright, the then U.S. Secretary of State who visited North Korea in the autumn of 2000. Additionally I spoke to every diplomat and after I found an obviously tortured soldier I handed over a statement of humanitarian principles to the North Korean government. My so-called coordinator and minder at that time who was made responsible for not preventing my activities was exchanged. I never saw him and his family again.

My behavior offended the leaders of the workers party and I was forbidden to go to the hospitals anymore, my car was sabotaged and finally I was forced to leave the country. As promised to the North Korean authorities I went directly to Seoul instead of going home to Germany and spoke to the international journalists there. In the following months I also interviewed several hundred North Korean defectors in Seoul, at the Chinese-North Korean border and in several other places where they are hiding themselves in order to learn more about the cruel reality in their home country.

All the former prisoners of the concentration-camps were talking about mass-execution, torture, rape, murder, baby-killing and other crimes against humanity because they were punished for any “anti-state criminal acts”. Working closely with the media the international community has to put pressure on the North Korean regime to open up toward the outside

world and save the ordinary citizens lives. To improve human rights in North Korea the world has to speak out against the current regime.

The regime of Kim Jong-IL is committing crimes against humanity, they are using food as a weapon against their own people. Kim Jong-IL is responsible for genocide, North Korea is a real terror state with terror against his own people and therefore the leadership of this country has to face the International Criminal Court in The Hague.

As a German born after the war I know too well the guilt of my grandparents' generation for remaining silent while the Nazis were committing indescribable crimes. I felt it my duty as a human being, particularly as a German to expose the crimes and tyranny of the North Korean regime.

And as a German I know about the impact of refugees who are fleeing the country. Like in former East Germany where it started with several dozen refugees in the West German Embassy in Prague it will lead to the final collapse of the system. Early in 2001 I learned about the two activists Mr. Kato Hiroshi, a Japanese journalist and Senior Protection Officer, Life Funds for North Korean Refugees, based in Tokyo and Mr. Sang Hun Kim, a South Korean former UN official and international human rights volunteer. We realized from our experience of field operations in China that North Korean defectors have risked their lives fleeing starvation and oppression.

In recent years, we have appealed to the government of China a number of times in support of North Korean defectors in China and, nevertheless, received no response to this date from the government of China. In the late 2001, we agreed that helping North Korean defectors to enter a foreign embassy in Beijing would be effective to bring the issue to international attention. Encouraged by other international and South Korean aid-workers who were consulted in the weeks that followed, we arranged an action plan. We made a number of trips to China during the period from January to February 2002 for this purpose.

Mr. Kim Hee Tae, a South Korean humanitarian aid-worker operating in China, joined us on condition that the operation is carried out on humanitarian grounds. Thus, twenty-five North Korean defectors were selected through interviews from a greater number of defectors who were all anxious to leave China at the first opportunity at any risk. We were at the sites when the selected 25 North Korean defectors went into the Spanish Embassy on March 14, 2002. Several other operations inside China followed.

In August 2002 we planned another activity to help a group of North Koreans enter the Peruvian Embassy in Beijing in early September to keep the issue upheld internationally. This plan was aborted when the Chinese authorities arrested the group and the activist Kim Hee Tae in Chang Chun on August 31, 2002.

Unfortunately in early Nov. also the Japanese activist Mr. Kato was detained by Chinese police, very severe interrogated, even tortured and finally released because of increasing pressure especially from the Japanese media. Because the Chinese police confiscated his

notebook our whole network suffered a huge setback but nevertheless we will continue our operations.

Especially on the base of my experience in North Korea and in Germany before reunification there I know about the impact of an increasing number of refugees. We will continue our efforts to create a steady flow through western embassies in China, by boat across the Yellow Sea and at the North Korean- Russian border and like in Hungary when this government finally opened its border for the refugees this will lead towards the final collapse of the evil regime of Kim Jong-Il.

With international support for the refugees by granting asylum especially from the Japanese, the U.S. and the South Korean government the international community can help to speed up this process.

And like in Germany the South Korean society will finally learn how to deal with a flood of refugees because when there is a real government change in North Korea there is really no more need for such a flood.

After visiting the United States, Japan and Europe for several times I will subsequently continue all over the world for the express purpose of exposing the tyranny and criminality of this secret state. North Korea is using weapons of mass destruction to threaten the whole world, is kidnapping innocent Japanese and South Korean citizens and takes the cities of Seoul and Tokyo as hostages by blackmailing them with missiles.

Even when the international community did not care very much about the desperate situation of the North Korean refugees the danger of a North Korean nuclear threat will generate some interest and with this the hope that international pressure will be applied by the world community to bring about a reformation of this depraved evil kingdom.

***Norbert Vollertsen***

## Curriculum Vitae Norbert Vollertsen

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1958 Feb. 10	Born in Duesseldorf
1964 – 1969	Elementary school in Willich
1969 – 1977	Gymnasium Meerbusch
1977 – 1978	Military duty in a military hospital in Hamburg
1978 – 1985	Study of medicine at the University Duesseldorf
1985 – 1986	Medical service for tourists and local people as a general physician on Meeru Islands, Maldives
1986	Marriage
1986 – 1990	Emergency doctor in Duesseldorf Assistant in the University of Goettingen Psychsomatic medicine in Baden-Baden
1990 – 1999	Private office as a general physician and family doctor in Goettingen
1999	Divorce
1999 – 2001	Emergency doctor in the German NGO "Kap Anamur" in North Korea
2001 – Present	Worldwide activities to raise interest for the desperate situation of the ordinary North Korean people, giving speeches, writing newspaper articles, publishing books : "Diary of a Mad place" in Japanese language, published by "Soshisha"

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NOTE: Please refer to Internet search engines for further details of specific articles, interviews and activities by Norbert Vollertsen.

MR. SANG HUN KIM

## Joint Statement

We are:

- Norbert Vollertsen, a German Doctor and humanitarian aid worker
- Sang Hun Kim, a former UN official and voluntary human rights worker
- Do Hee Youn, Secretary General, Citizen's Coalition for Human Rights of Abductees and North Korean Refugees

Today, we are appealing in the strongest possible term to the Chinese government:

1. to recognize the status of North Korean defectors in China as refugees under the 1951 Convention Relating to the Status of Refugees and
2. to release all humanitarian aid workers who have been arrested for helping North Koreans on humanitarian grounds, including Kim Hee Tae, a South Korean student, and Choi Wan Dal, a Chinese national.

Repeatedly over a period of years, we have appealed to the government of China to recognize the rights of North Korean defectors as refugees in China. These appeals have fallen on deaf ears.

Today, we have chosen to inform the government of China that, in light of its continued inaction, we decided to bring the horrendous plight of hundreds of thousands North Korean defectors in China to the attention of the international community. With this motivation, we helped 25 North Korean defectors to enter the Spanish Embassy in Beijing on March 14, 2002, and another group of North Korean defectors another embassy in Beijing in early September 2002.

The government of China has arrested Kim Hee Tae, a South Korean student, and Choi Wan Dal, a Chinese national, for helping the above mentioned groups of North Korean defectors move from one location to another inside China at our request. We wish to inform the government of China that these persons, in no way, were involved with the decision to enter the Spanish Embassy. We are the persons responsible for the incident.

For years, we have been engaged in humanitarian endeavor of protecting and assisting North Korean defectors in China under the guiding principles of the 1951 Convention that has been recognized by the government of China<sup>1</sup> "as a guide to action for humanitarian workers assisting refugees."

We have witnessed time and again that North Korean defectors risk their lives to escape from starvation and oppression, seeking freedom. These refugees are subject to severe persecution if caught and repatriated to North Korea. Therefore, their right to claim refugee status is undeniable and they clearly qualify as refugees under the Convention, which has been declared "binding under Chinese law."<sup>2</sup> It is noted that the government of China has clearly expressed that the Convention will take precedence over domestic law.<sup>3</sup>

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<sup>1</sup> in a speech given at the Ministerial Conference to celebrate the 50th Anniversary of the Convention in Geneva on 12 December, 2001.

<sup>2</sup> Report of China – HRI/CORE/1/Add.21/Rev.2, 11 June 2001

<sup>3</sup> Mr. QIAO Zonghuai, a member of the delegation of China, at the 24<sup>th</sup> CAT session in Geneva on Friday, 5 May 2000, CAT/C/SR 419, 12 May 2000

As independent human rights and humanitarian aid-workers and NGO, we are non-governmental, non-political and our united action does not represent the interests of a single religion. We are two individuals and an NGO acting upon our own consciences. We have separate projects and concerns. At times we work together on an ad hoc basis, assisting one other when necessary and engage in the exchange of information and perspectives, but we do not constitute a single organization.

## North Korean Defectors are Refugees

By Sang Hun Kim

The question of refugee status is unquestionably an international and global issue to be governed by relevant international laws (1951 Convention Relating to the Status of Refugees and 1967 Protocol thereto) and therefore not to be defined by any particular national laws or political consideration. The above 1951 Convention was heralded by China as "...Magna Carta of International Refugee Law...The Convention is candle light of hope in the dark to the helpless refugees...serves as a guide to action to people who are engaged in humanitarian work of protecting and assisting refugees." (Mr. Wang Guangya, Vice Foreign Minister of the PRC, at the Ministerial Meeting of States Parties to the 1951 Convention Relating to the Status of Refugees in Geneva on 12 December 2001).

Furthermore, international instruments prevail in the event of conflict between the obligations of the Members of the United Nations under the UN Charter and their obligations under any other international agreement (UN Charter, Article 103) or any national law (1951 Convention, Article 8 and Article 40,1)

Indeed, the Government of China has accepted that "an international human rights agreement...is binding under Chinese law and China must honour the corresponding obligations...In the event of discrepancies between domestic law and an international human rights agreement...the international agreement will take precedence... (Report of China – HRI/CORE/1/Add.21/Rev.2, 11 June 2001).

It is further noted that Mr. QIAO Zonghuai, a member of the delegation of China, stated at the 24<sup>th</sup> CAT session in Geneva on Friday, 5 May 2000, "China adhered to the principle of *pacta sunt servanda*. Under the Chinese legal system, the international instruments...were considered part of Chinese law and legally binding. In the event of conflict between an international instrument and a domestic law, the provisions of the international instrument took precedence..." (CAT/C/SR 419, 12 May 2000)

The Chinese government indisputably contradicts itself when it arbitrarily applies its national law to a clearly international issue in cases where the government has carried out severe crackdowns on both North Korean refugees and aid workers that assist them. The Chinese government is clearly obliged to justify its decision against the granting of refugee status to North Koreans by its declaration of Chinese national law as justification for the repatriation of North Korean defectors.

Under the circumstances, we strongly feel that the government of China must be condemned for its violation of international law and continuing defiance of the international community by continuing the severe crackdowns on North Korean defectors and those aid workers assisting them.

We believe that North Korean defectors in hiding in China today are eligible to the refugee status under customary international laws for the following reasons:

**I. The definition of a “refugee” is universal and has been agreed upon by a majority of UN members through international instruments.**

- A. The 1951 Convention Relating to the Status of Refugees, Article 1, Paragraph 1 (a), and the 1967 Protocol Relating to the Status of Refugees, Article 1, Paragraph 2,” define a refugee to be someone:
- (a) with “well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinions” and
  - (b) “unable or unwilling to avail himself of the protection of that country” or “outside the country of his former habitual residence and unable or unwilling to return to it.”
- B. 137 nations have acceded to both the 1951 Convention and the 1967 Protocol.

**II. North Korean defectors in China satisfy the requirements of the universal definition and should be eligible for refugee status.**

- A. North Koreans defect to China in pursuit of food and freedom and in defiance of the political authorities of North Korea. In other words, they are staking a claim to the fundamental and inalienable rights of life and liberty.
- B. North Korean defectors in China are not “economic migrants.” A migrant enjoys the protection of his or her home government; a refugee does not. When they defect to China, they are outside of North Korea and do not expect to avail themselves of its protection.
- C. Under the North Korean Criminal Code, Article 47<sup>th</sup>, defectors are considered political prisoners and punishable by capital punishment or a minimum prison term of 7 years. Therefore, the defectors, when arrested and unconditionally repatriated to North Korea by the Chinese authorities, have a “well-founded fear of being persecuted,” often very severely.

**III. China’s treatment of North Koreans in China is a defiance of International agreements and a dereliction of its obligations as a UN member.**

- A. The People’s Republic of China acceded to both the 1951 Convention and the 1967 Protocol on September 24, 1982.
- B. The Chinese authorities are clearly violating the non-expulsion (refoulement) principle of the 1951 Convention, Article 33 (Article 1, Paragraph 1, of the 1967 Protocol) when they expel or return (“refouler”) the North Korean defectors in any manner whatsoever to the frontiers of territories where their lives or freedom would be threatened.
- C. Any provisions in Chinese national law or any extradition treaty between China and North Korea allowing North Korean defectors to be arrested and repatriated is in direct conflict with the 1951 Convention and the obligations assumed by all UN members, including China, regarding the universal

respect of human rights and fundamental freedoms described in the UN Charter, Articles 2 (Paragraph 2), 55 (Paragraph c), 56, and 103; 1951 Convention Article 8 and Article 40, 1)

- D. By repatriating defectors back to North Korea, the government of China is making itself a party to North Korean crimes against humanity.

**IV. It is in China's best interest to uphold its international obligations and treat North Korean defectors in China as refugees.**

- A. By allowing international organizations to help the defectors on humanitarian grounds, China will help prevent human suffering and persecution on a massive scale.
- B. With a growing international focus on China due to trade and business issues, China must be cautious to present itself in the best light. By upholding its international obligations to being not only a conscientious participant in the world community but also a proactive leader.
- C. By allowing international organizations to help the defectors, China can reduce its own burden and costs associated with the North Korean defector population (e.g., welfare, police, security, repatriation, etc.)

## Allegations of Torture Carried out by Chinese Interrogators

By Sang Hun Kim & Hiroshi Kato

It is generally believed that the expertise of Chinese interrogators is of such an inferior quality that torture methods are largely relied upon during questioning to gain results, thus rendering it unnecessary to improve their professional competence as many other countries have done. Aid workers operating underground in China frequently hear of torture allegations with regard to Chinese interrogators. North Korean defectors, Chinese workers and South Koreans who have been detained by Chinese authorities frequently voice such allegations. The local Chinese nationals are very brutally tortured, frequently resulting in victims being permanently crippled, with multiple broken bones and severe muscular wounds. These allegations have heretofore remained undocumented due consistently to victims' well-founded fear of retaliation by Chinese authorities.

In fact, allegations of torture drawn from reports taken from independent sources have converged on at least one point: Chinese officials reserve their most brutal and atrocious treatment for North Korean defectors. The reasons are logical and simple. There is no fear by the Chinese of discovery or redress of its citizens' treatment by the North Korean government, and secondly, no matter how cold-blooded the torture meted out by Chinese authorities may be, it pales in comparison to the blunt instruments of intimidation and persecution that await the defectors once the Chinese repatriate them to North Korea.

However, when the Chinese interrogators deal with foreigners from more democratic societies, they are far more circumspect by ensuring that no marks of torture are left on the body. A common practice is to deprive the victim of sleep for days on end. A victim is forced to stand with both arms handcuffed from the ceiling and both legs fettered to the floor (drawing below). A young guard is stationed behind the victim and the moment the victim shows signs of fatigue, the guard is instructed to jab the victim's head with a wooden prod to prevent him/her from lapsing into sleep. For a period of three days food and water are not provided and the use of a toilet is prohibited. Due to the restraints, the victim is forced to urinate and defecate upon himself/herself in further humiliation.

The victim is then brought back to interrogators for further questioning after three days of treatment described above. If interrogators remain unsatisfied with the victim's answers, he or she is returned to the same torture regimen. The Chinese interrogators are said to boast that no victim has withstood more than three repetitions of the 72-hour ordeal before giving the interrogators the information they need.

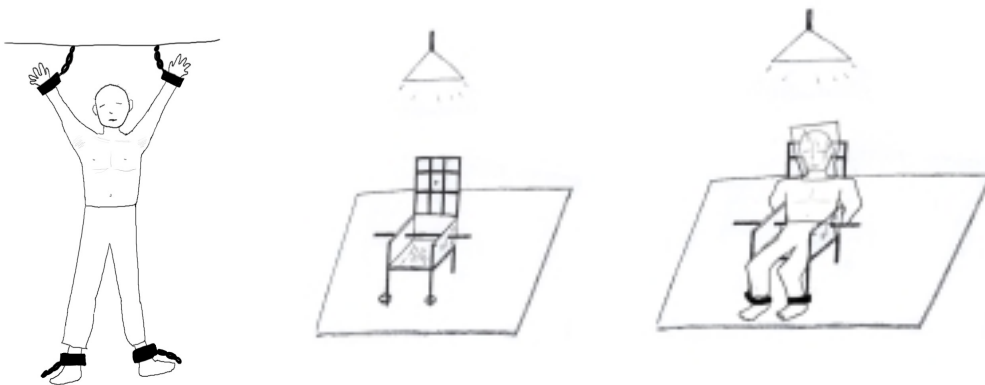
Yet another form of torture that is often reported is the forced seating of a victim in a steel chair fixed to a steel plate on the floor, roughly 2 meters by 3-4 meters, with a restraining bar fixed tightly against his abdomen and attached to the chair. Both hands of the victim are handcuffed behind the chair and legs are also shackled, as the attached drawing by the victim himself indicates. The steel chair is permanently bolted to the steel plate on the floor, thus prohibiting the victim from moving his/her chair. In this case, as the former, food, water and access to toilet facilities are denied for days at a time. When a prisoner is bound to the chair, he/she is gagged to muffle any noise and the head is covered with a vinyl bag to make breathing difficult (drawings below)

During my weeklong detention by Chinese intelligence interrogators, I was forced to sit in such a chair with a bar fixed against my abdomen. In my case, however, I was allowed to use the toilet and to sleep on the small chair with one of my hands unrestrained. The Chinese security personnel indicated that I was being treated exceptionally well, perhaps out

of deference to my Japanese nationality. At no time during my many days of detention was I presented with a single explanation of which Chinese law I was being charged with breaking.

It is a common practice for Chinese officials to pocket cash and items of value belonging to the victim at the time of arrest, e.g. camera, watches. At the time of my eventual release, I naturally asked for my possessions that were confiscated when the security officials broke into my hotel room, especially my travel money and camera. No response was given to my repeated requests for my property; rather a contemptuous demeanor was shown me as a rebuke for my ungrateful attitude toward the “mercy” that was shown to me during interrogation. Allegations of previous victims hold that Chinese officials often threaten victims with extended detention if those detained are so bold as to ask for a return of their cash and valuables.

**I am now convinced by my experience of seven days detention in China that widespread rumors and allegations of torture and unlawful confiscation by Chinese officials of victims’ money and valuables are absolutely credible.**



**Signed by:** Hiroshi Kato

Life Funds for North Korean Refugees

MR. HIROSHI KATO

LIFE FUNDS FOR  
NORTH KOREAN REFUGEES

## Life Funds for North Korean Refugees

### International Framework Crucial for North Korean Refugees

Starvation will probably strike North Korea again this winter.

Following the recent drop in international food aid, observers expect deaths from starvation this winter to equal the tragic levels seen in 1995 to 1997.

The North Korean regime has consistently rejected the efforts of international organizations to monitor distribution of the food aid they supply. This has led to serious doubts among donors that the food they send will reach the intended recipients. This is making it difficult to continue aid and support efforts, although the international organizations are urging such continuation.

North Korea rejects all monitoring, primarily because the government wishes to control information. The volume of rice reserves is directly connected with the army's ability to wage war. This makes rice a strategic material. The starvation can, therefore, be attributed to North Korea's strong emphasis on the military, and this is compounding the failure of that country's agricultural policy.

Starving families sell their possessions to buy food; first to go is the furniture, then other household goods. According to refugees we have interviewed, the last thing to go in a home is the container for salt or soy bean paste. When even this last pot is gone and nothing is left to sell, they go wandering about, seeking food to scavenge. Some fall dead in the streets. Others cross the border into China to survive.

The number of North Koreans who have escaped into China is estimated at between 50,000 and 100,000. There are no accurate numbers, however. According to the criminal code of North Korea, anyone illegally leaving the country is automatically charged with treason, which carries a maximum penalty of execution. This means that the North Korean people who escape into China are not mere refugees seeking food; they are political refugees who face mortal risk if arrested and returned.

One of the founders of our NGO, Mr. Hiroshi Kato, was detained by the Chinese authorities at the end of October, 2002, and interrogated for 7 days. The Chinese authorities insisted that Mr. Kato was involved in planned defections of North Korean refugees.

During the course of the interrogation, according to Kato, the Chinese police threatened him: "We could hand you over to the North Korean agencies." This one remark has the potential to tarnish seriously the image of the Chinese government held by many Japanese.

If, however, we are seriously to consider dealing with North Korea and addressing the North Korean refugee issue, it is imperative that the Japanese government closely pursue its links with the Chinese government, which is willing to solve the refugee issue. China has no wish to see instability in the Korean Peninsula.

A possible flood of refugees is also a serious issue for South Korea. Judging from the current economic situation, South Korea is perhaps not able to accept a great number of refugees. Some observers suggest that even 10,000 new refugees would cause serious problems for South Korea.

Reportedly, if a mass exodus happens, we could see at least 300,000 refugees. Even if South Korea, Japan, Russia, the USA and others accepted 10,000 refugees each, this would be far from meeting the need. The logical solution, therefore, is to begin now building an international framework that could provide aid on a global scale.

In the 1960s, about 93,000 ethnic Korean residents of Japan moved to North Korea. Rumors suggest that many of these were charged with spying and executed or confined in slave labor camps. Many of these people were born and raised in Japan, and a large number of them wish to escape and return to Japan.

Given these circumstances, we at Life Funds for North Korean Refugees are convinced that the Japanese government should take the initiative and begin creating an international framework for aiding the North Korean refugees. Building up such an international cooperative system will effectively work not only to solve the refugee problem, but to resolve or improve security issues throughout the Far East.

It is our firm belief that the question of refugee status is an international issue and, therefore, should be governed by relevant international laws (i.e. the 1951 Convention Relating to the Status of Refugees and the Protocol thereto of 1967), and is not to be ruled by Chinese national laws.

Clearly, this is an ordinary case of international laws being violated every time the government of China, under its own laws, arrests North Korean refugees or the humanitarian aid workers helping them.

The North Korean refugee issue should be recognized as a serious Human Rights issue to be addressed by the international community, including the countries related to China in this issue, as well as South Korea, the EU, the United States, and Japan. We strongly suggest that an international framework be created for dealing with this issue.

The first and most urgent step is official approval by the Chinese government of the North Korean defectors as refugees according to the International Convention on Refugees.

We ask the international community to join us in our appeal for the release of North Korean defectors and humanitarian aid workers, including Mr. Kim Hee Tae, a South Korean student, Choi Wan Dal, a Chinese Christian leader, and Kim Kum Nam, a North Korean defector.

It is also crucial that the international community help us locate our foster children, whom we were feeding and clothing, and the North Korean refugees we were supporting. We have completely lost contact with them since Mr. Kato was arrested in Dalian on Oct. 30 this year.

Kenkichi Nakadaira

Representative

Life Funds for North Korean Refugees

URL: <http://www.northkoreanrefugees.com>

E-mail: [nkkikin@hotmail.com](mailto:nkkikin@hotmail.com)

## Stop the Repatriation of Our Foster Children

Since our NGO, Life Funds for North Korean Refugees (LFNKR) was founded in October 1998, we have protected North Korean orphan children separated from their parents due to starvation or the collapse of their family amid the current climate of political and social persecution.

To provide for the children's basic education, we also initiated a foster parent program to help assure the children a measure of security.

Though our NGO is a small group of private citizens with the resources to deal with only a limited number of children, our foster program has been ensuring a degree of safety for the children and providing them emotional support.

This situation suddenly changed, however, and the security of our foster children was imperiled when the Chinese authorities recently detained our Secretary General, Mr. Hiroshi Kato.

We are deeply concerned. In the worst case, not only may the children have been captured by the Chinese authorities and repatriated to North Korea, but the local humanitarian volunteers who have protected and taken care of the children may also be facing severe punishment.

To avoid exposing them to even greater danger, we have refrained from contacting anyone in the area and have, therefore, been unable to learn anything about the current situation there.

Judging from past actions by the authorities, if the foster children were captured, they would be automatically repatriated within two or three days. After repatriation, regardless of their age, severe punishment awaits them.

Recent reports had suggested that the punishment of children under sixteen had been relaxed slightly, but according to our own sources, the reality is different. Reportedly, children aged twelve to fifteen receive the same punishment as adults. In this case, the twelve-to-fifteen year old children are forced into months of heavy labor with very little food, and are subject to relentless beatings every day.

Around the end of 1999, many local humanitarian volunteers who had been cooperating with us in support efforts started being arrested by the Chinese authorities. In each case, the children being sheltered were repatriated, and the leaders of the local volunteers had enormous fines levied against them in amounts far beyond their ability to pay. Thus, most of the shelters where the children were hiding had to be shut down.

Though some shelters and volunteers were fortunately able to survive this pressure, they were in constant danger of exposure. During this time, some of the children were captured and repatriated. In addition, the local volunteers were detained and/or fined heavily. As mentioned, the repatriated children all receive severe punishment regardless of their age.

The mere fact that they crossed the border is an extremely serious charge. Even more serious, however, if the North Korean authorities discover that a child has converted to

Christianity or that they even visited a church while in China, the most severe of punishments is inflicted.

Moreover, anyone who has had contact with any South Korean national is charged with espionage, a capital offense, under North Korea's Criminal Code, Article 47, "Treason". This punishment is not waived for children under age sixteen.

We hereby urge the international community to support this issue; please request that the Chinese government protect these children rather than repatriate them.

Furthermore, we urge international organizations, including UNHCR and Unicef, all neighboring countries, such as South Korea and Japan, the Japanese Diet, and all progressive-humanitarian Western governments and parliaments to give close attention to this issue and provide all appropriate protection and support for the North Korean orphan refugees.

Kenkichi Nakadaira  
Representative  
Life Funds for North Korean Refugees  
URL: <http://www.northkoreanrefugees.com>  
E-mail: [nkkikin@hotmail.com](mailto:nkkikin@hotmail.com)

## Life Funds for North Korean Refugees

### Our Mission

Since its founding in 1998, our NGO, Life Funds for North Korean Refugees (LFNKR), has supplied food, clothing, medicine, etc. directly to North Korean refugees, including those who have escaped into China, carrying them in person via our own local supply routes.

Our NGO is just a small citizens' group in Japan. We hold no particular political stance, ideology or religious preference.

We simply have learned of the refugees and their great difficulties. And we have heard their compelling plea: "We want to live. Please help us."

Some here in Japan protest that "this is too big a task for us... let the government handle it." Others protest that "This is a Japanese NGO, so it should concentrate on helping only returnees to Japan and Korean residents in Japan."

But we cannot ask people their hometowns before deciding whether we will help them. We do not think it is right to extend help only if they have relatives in Japan, nor to turn our backs on them if they were born in North Korea. Every one of those refugees risked their very lives to escape.

One of the critical lessons of history is the importance of never discriminating against another for physical characteristics, race, nationality, age, handicap, nor any other reason. This includes country of origin, occupation, ideology, and creed.

How many North Korean refugees can be saved by one small, weak citizens' group in Japan? It is said that the North Korean refugees number possibly into the hundreds of thousands. If the North Korean state were to collapse totally, then the world could conceivably see twenty-two million refugees.

These figures, though overwhelming, do not mean we should simply give up. What could we say to those who cry out to us for a helping hand? It is the warm humanitarian rescue efforts of each individual member of this citizens' group that stands as a beacon of hope for the suffering refugees who have fled North Korea.

## LFNKR Activities in FY 2001 - 2002

Report Presented September 28, 2002 for the 5th General Meeting

### Establishing, expanding liaison with international NGOs

At the International Conference on North Korean Refugees and Human Rights held in Tokyo in February 2002, we announced our activities to the world in preparation for promoting our cooperation with other international NGOs.

Among current matters, our interests are now being directed toward the opening of a refugee camp for accommodating North Korean refugees.

As the circumstances of the North Korean refugees change, we face the obvious need to expand and further intensify our activities. More specifically, we must seriously consider securing more resources, both human and financial, to meet the growing needs.

Instead of maintaining the scope of our activities unchanged, we are now expanding our view toward working more actively in the international framework in a spirit of cooperation and solidarity.

### What LFNKR accomplished in FY 2001-2002

#### 1. Protecting the North Korean refugees

LFNKR is currently protecting and supporting about 300 North Korean refugees in China.

##### (1) Supply of summer and winter clothing

We distributed a total of 500 outfits for cold weather during the period from December 2001 to February 2002, and a total of 300 sets of summer clothing.

##### (2) Supply of food to our shelters and emergency evacuation places

We distributed a total of 14.4 tons of rice during the past year. Monthly, the shelter RYO-01 located in China receives 400kg of rice, and the shelter RN-01 near the border receives 800 kg of rice.

##### (3) Medical treatment aid

LFNKR provided medical treatment to a female North Korean refugee suffering from tuberculosis. Under a doctor's diagnosis and instructions, she received medication for six months. Because it was difficult to obtain the necessary medications in China, we sent the medicine for treating tuberculosis from Japan. She has recovered and is happy, saying that she is now healthy enough to handle daily life.

We also paid the expenses for an operation for a girl who suffered from cerebral meningitis and peritonitis.

In one case, we paid for childbirth expenses and milk for the newborn.

(4) Financial support extended to Korean Chinese engaged in activities to secure the safety and protection of NK

refugees LFNKR paid a total of 50,000 RMB or 750,000 yen (1RM=15yen) in fines to bail out NK refugees and our local staff members helping them, when they were arrested by Chinese police.

In four cases involving three shelters, namely, RYO-01, RYO- 2, and YAN-01, we were fined for protecting and nurturing North Korean orphans under our foster parent scheme.

(5) Financial aid to NK refugees returning to NK

In 15 cases North Korean refugees were working in China to support their families in North Korea, but they were not paid as promised. When the workers demanded their wages, the employers threatened to inform the police. To help those refugees return to their families, we compensated them for their lost wages. The total amount paid for this purpose was 6,000 RMB (90,000 yen).

## 2. Self-reliance aid program

This is the third year of our self-reliance program to help North Korean refugees make a living through their own skills.

(1) LFNKR has helped the refugees with the production of colorful hand-knit mats and has sold the items. Each was sold at 500 yen, which buys 10 kg of rice for North Korean refugees at our shelters. Ms. Yamada, one of our LFNKR members has continued to sell the hand-knit mats at every opportunity and has sold over 200. At the seminars held by the Ladies' Association of Mindan (the Korean Residents Union in Japan), 346 were sold. Another member sold 50 at a small local Amnesty group event. A total of 600 hand-knit mats have been sold.

(2) Likewise, a total of 120 key holders have been sold, which exhausted the entire inventory. However, each lot of key holders has a different design, and it is difficult to maintain constant quality. There is still some room for improvement.

(3) The wooden crosses made by the refugees are only popular among Christians, so they are not well suited for sales to the general public in Japan. There are currently 50 wooden crosses in stock, and no orders have been received. Some people suggested that we should replace them with accessories, such as cross pendants.

## 3. Foster parent scheme

The foster parent scheme is one of the longest-running activities of LFNKR. However, the stringent crackdown under the Chinese government's "Strike Hard" campaign has reached our North Korean refugee orphans, too. Three of our shelters were searched after being betrayed, and more than ten children under age 15 years were arrested and repatriated by Chinese border guards. This was a great shock to the foster parents, who are LFNKR members. Our efforts to give those children hope and a future are facing a severe challenge.

## 4. Distribution of food

Our food supply routes to Hamgyong Bukto and Hamgyong Namdo continue to be maintained and operated regularly. We have been able to maintain the monthly supply of 5 tons in terms of rice to distribution routes RN-01 and RR-02.

The distribution volume target we set last fiscal year was 6 tons per month. It seems more reasonable, however, to establish a goal of maintaining a distribution level of 5 tons monthly, judging from the capacity of our current network.

We have 25 main distribution spots in Hamgyong Bukto and Hamgyong Namdo, and have added a new distribution spot in Ryang Gang Do.

The food is of course supplied to people seriously in need, with higher priorities given to people with higher emergency levels.

The problem of starving people eating the stocks of seed corn still remains unsolved. During this fiscal year, we supplied 2 tons of seed corn, 2 tons of nappa (celery cabbage) seeds, and 2 tons of radish seeds in April and June.

According to reports by some local staff members who carried out the distribution operation in the De Hong Dan County, the number of people starving to death is increasing as it did in 1996 and 1997. In the Tehondangun area, the supply of food has not yet been resumed.

We need to discuss whether the non-regular supply route RR- 03 should be upgraded to a regular supply route. To achieve this, it will be essential to secure additional financial resources and staff members.

#### 5. Helping NK refugees with moving and settling

During the past year, we had xx (number) North Korean refugees who needed help with moving to and settling in other countries, after third countries agreed to assist.

One of our vitally important assignments is to develop and find the human resources equipped with adequate knowledge and experience to fulfill this task. Thus, the network of Korean volunteers that we have built is invaluable.

LFNKR considers it important to maintain liaison and cooperation with other friendly NGOs. This liaison backed by mutual trust encourages us all in coping with the challenge of the issue of North Korean refugees. At the same time, we must never forget that some staff members of overseas NGOs with whom we have been working have been arrested and detained by the Chinese authorities.

It is expected that more than 1,000 refugees will settle in South Korea by the end of this year. However, there have actually been indications that not every refugee has been able to smoothly adapt to the South Korean society, although they share a common language.

Others were originally ethnic Koreans born in Japan, who were persuaded to move to North Korea by glittering promises. Some of those may wish to try and return to Japan, where they were born. Often these returnees bring along their children who do not know the Japanese language. According to Kyodo News Service, more than 20 returnees reportedly have already returned to Japan in secret. Adjusting to Japanese society, where the language and cultural differences are far greater, may be even more difficult. LFNKR must be prepared to establish a system and policy for aiding the refugees to settle in.

#### 6. Publishing books and booklets

Publishing books and booklets on the people, human rights and actual conditions in North Korea has been positioned as an important LFNKR publicity activity. In May this year, we

arranged publishing for a 5,000-copy initial printing of the book "Datsuhokusha" through the publisher Banseisha. The book is the diary of a North Korean escapee who almost reached freedom on his third attempt, but was caught at the last moment, repatriated, and tortured to death. His daughter kept his diary. The book is the only legacy he left. With sales increasing, a little greater push will allow us to arrange a second printing.

We also planned to publish "Jun Gu Village Camp Number 12" (provisional title) in the form of a booklet; however, we were not able to finish it before the fiscal year ended. This should be realized early next fiscal year.

#### 7. Holding debriefing sessions and informal gatherings

Another new project for the fiscal year is our promotion of publicity activities. For this purpose, we have held sessions to report on our specific aid activities along the border of China and North Korea, and the actual situations of refugees.

According to our representative's suggestion, LFNKR has begun hosting luncheon sessions for people supporting our activities. This new activity has been accepted quite favorably. We plan to continue such events and also to hold informal discussion sessions or meetings in other local areas in Japan.

We have begun appealing to Mindan, the Korean Residents Union in Japan, to extend their interests to the actual situation of North Korean refugees and to support our activities from the viewpoint of humanity and human rights. Thanks to our continued efforts, we were invited to speak at the national workshop of the Ladies' Association of Korean Residents in Japan during June and July 2002. At seven venues in Japan, we addressed a total of about 3,000 members of the Ladies' Association.

At every venue, we received favorable responses to our appeal. In a number of cases, audience members, primarily those who have relatives, acquaintances, or friends in North Korea told the speakers from LFNKR that they had lost track of their relatives or friends, or that they are still sending money and supplies to the relatives in North Korea. Some told us that they no longer heard from their brothers or sisters in North Korea. After the lectures, the speakers were surrounded by members of the audience wishing to exchange information. Quite a few attendees gave us words of encouragement.

At the venues, we sold the hand-knit mats and key holders, which are products made by the refugees under the self-reliance project. The speakers from LFNKR all appealed to the audience, telling them "If you buy one of these products, it means that you are buying 10 kilograms of rice for North Korean refugees. A total of 346 colorful hand-knit mats was sold, which will buy the refugees 3,460 kg of rice. In addition, 120 key holders and 504 copies of the book "Datsuhokusha" (Escapee from North Korea) were sold.

#### 8. Procedure for registering as NPO (Nonprofit Organization) has begun

During the past year we considerably expanded our activities. As our relationships with government agencies, organizations and overseas NGOs expanded, we have seen our social credibility, influence, and responsibilities grow. We have decided to upgrade the status of LFNKR from a group of volunteers to a corporation, and have started the legal procedure for registration.

In the midst of preparing for legal registration, a serious security threat arose, which caused us to hesitate about disclosing the real names and addresses of some LFNKR directors. For that reason, we decided to modify the list of directors' names before submitting our legal

document for registration. The modified document was submitted to the appropriate authorities in September 2002, a delay of some few months from our original schedule. The authorities' decision will be announced in the next fiscal year.

From last year, China started to enforce their crackdown on the North Korean refugees and the NGOs trying to help them. Our Mr. Kato, who visited Dalian on Oct. 30, was detained and interrogated by the China police for 7 days. During the interrogation, the address book and memos carrying the information regarding our local staff members were confiscated by the China Police. In addition, Mr. Kato is prohibited to enter China for five years because of this incident. This means that our local activities have been severely disrupted. We are now looking for a new way to restore our local activities for rescuing the refugees.

Since we have not come up with a clear idea how to restore our local activities, we feel it our duty to continue appealing to the international society that the North Korean refugees issue should be addressed extensively in the international society as a serious "Human Rights Issue."

Life Funds for North Korean Refugees  
Kenkichi Nakadaira, Representative  
A-101 Nishi Kata Hyteru  
2-2-8 Nishi Kata, Bunkyo-ku  
Tokyo, Japan 113-0024  
Tel / Fax +81-3-3815-8127  
nkkikin@hotmail.com

## Letter To Prime Minister Junichiro Koizumi

November 12, 2002

### REQUESTS FOR PROMOTING THE SETTLEMENT OF NORTH KOREAN REFUGEES IN JAPAN

With the mission of "Rescuing as many North Korean refugees as possible," the Japan-based NGO "Life Funds for North Korean Refugees" (LFNKR), has engaged in activities for the rescue of refugees since its founding in 1998. This group primarily supplies food, clothing, and medicines to those in need of such assistance. Although LFNKR is a very small NGO, having barely 200 members, we have been providing 5 tons of food per month, in terms of rice, to these people.

In our rescue activities, we have worked with refugees who defected from North Korea, and who eventually entered and settled in South Korea or Japan after being granted refugee status by the Office of the United Nations High Commissioner for Refugees (UNHCR), or after being accepted by the countries mentioned. These people number more than 80.

Most refugees who received our help have chosen South Korea as their destination. LFNKR respects their choice of permanent dwelling place; the majority of North Korean refugees select South Korea.

Many of the refugees are ethnic Koreans born in Japan. Others are children of Japanese parents who accompanied ethnic Koreans who moved from Japan to North Korea. Most of those who were born and brought up in Japan consider Japan as their homeland. Some of them actually say that they want to be in Japan when they die because they were born and brought up in this country. Often, however, only their second choice, South Korea, is possible, even though that country is entirely new to them and they have no relatives or friends there.

Why are they pressured to choose South Korea against their will? It is because only the South Korean government offers a program for accepting the North Korean refugees. The program includes plans for helping the refugees adapt themselves to the South Korean society, and the provision of housing and living funds.

Japan, in contrast, has no such governmental aid program. This is why so many refugees eventually must give up the idea of returning to Japan and resettling here.

The three northeastern provinces of China are seeing a particularly heavy influx of ethnic Koreans who were born in Japan, as well as the offspring of Japanese spouses. These people are escaping into China to flee from constant discrimination, persecution and hardship in North Korea.

But even if they manage to get into Japan, the homeland of their parents, they will face hardships, including problems with language, employment and education. About twenty people who have successfully returned to Japan with the assistance of LFNKR are currently having a hard time; there is virtually no protection or official help. This is too great a problem to be resolved by such a small, resource-limited NGO. Meanwhile, the number of people returning to Japan steadily increases.

The current political situation in North Korea is showing signs of possible collapse. A mass exodus or defection of North Korean refugees could arise. If that were to happen, Japan could see a wave of new refugees, including children of the 93,000 people who moved from Japan to North Korea during that country's campaign in the 1960s to attract settlers. There are also the Japanese spouses they took along, and the children of all those marriages.

Life Funds for North Korean Refugees strongly urges the Japanese government to take all necessary action, including the passing of new laws to protect and receive North Korean refugees. More specifically, we ask the Japanese government to:

1. Take the initiative in building up an international framework for assuring the protection of and solving problems connected with the settlement of North Korean refugees fleeing into China.
2. Preferentially receive and help the North Korean refugees who were born and brought up in Japan, as well as any Japanese spouses and their offspring, easing the way for them to settle in Japan.
3. Establish necessary programs and systems to help these people with Japanese language study, school education, job training, employment, and preferential housing provision, etc. in order to promote settlement aid.
4. Take measures to ensure the safety of those North Korean refugees who decide to settle in Japan.
5. Establish measures for protecting the lives and securing the safety of relatives remaining in North Korea.

Hiroshi Kato  
Secretary General  
Life Funds for North Korean Refugees  
A-101 Nishi Kata Hyteru  
2-2-8 Nishi Kata, Bunkyo-ku  
Tokyo, Japan 113-0024  
Tel / Fax +81-3-3815-8127  
nkkikin@hotmail.com

## Curriculum Vitae Hiroshi Kato

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1945	Born in Fukushima Prefecture, Japan
1968	Graduated from Rikkyo University
1969	War correspondent & cameraman in Indochina War
1986	Bungei Shunju coverage in Philippines (Covered the collapse of the Marcos Administration)
1990	Covered the Independence movement in three Baltic countries
1991	Coverage in Russia and reports on North Korean situation
1998	One of the founders of NGO, Life Funds for North Korean Refugees
2002	Detained by the Chinese authorities on Oct. 30, expelled from China on Nov. 6, and prohibited from entering China for 5 years.

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- Books:
- Reports from Uncharted States
  - "Laban" Yellow Revolution in Philippines – Photo-book

**MS. SUZANNE SCHOLTE  
DEFENSE FORUM FOUNDATION**

## Defense Forum Foundation USA

Ms. Suzanne Scholte, President

### Press Statement for Life Funds for North Korean Refugees

Tokyo, Japan

For release: November 27, 2002

I am proud to join with Life Funds for North Korean Refugees in their call today for the international community to become more engaged in the horrible plight of the North Korean people. With them, I call upon the Chinese government to uphold its treaty obligations and end its inhumane treatment of North Korean refugees who have fled to them: hungry, terrified, and desperate. We call upon the government of China to allow the UN High Commissioner of Refugees access to these North Korean refugees.

We call upon the Chinese government to release Kim Hee Tae and all other asylum seekers currently in their custody, as well as for protection for the foster children supported by the Life Funds for North Korean Refugees.

It is appalling that any government would not only persecute these helpless refugees but also imprison, harass and persecute the very people whose only desire is to offer food, comfort and shelter to these refugees.

The treatment by the Chinese government of Hiroshi Kato and others who have put themselves at risk for the purest and noblest of humanitarian reasons, must be resoundingly condemned.

China accuses these humanitarian workers of breaking its laws by helping North Koreans escape into embassies and to other countries. But, it is the Chinese government who is breaking the law, and forcing these desperate measures, by not honoring the international treaties it has signed.

If we put this all into historical context:

- 1) We find North Korea to be one of the most repressive regimes in modern history whose government policies have induced a famine that has killed millions of people.
- 2) We find a North Korean regime that diverts humanitarian aid to maintain its own power thereby causing further suffering upon its own people.
- 3) We find a helpless, starving suffering population of men, women and children whose only choice for survival is to escape to a third country.
- 4) We find the Chinese government with the unprecedented opportunity to show a human face by allowing these North Koreans access to those who will provide them food, comfort and shelter, and most importantly, a new life in another country. But, instead, with appalling

cruelty, this government violates its international agreements and hunts down these refugees and those who try to assist them.

The horror stories pouring out of China and North Korea are among the worst in human history: Children dying in their parents' arms from starvation, wives being sold into prostitution, men becoming slave laborers on farms, young women sold to brothels, elderly committing suicide to increase the chance their family might eat, people reduced to cannibalism, babies murdered in cold blood within minutes of their birth.

It is organizations like Life Funds for North Korean Refugees who have stood up against this inhumanity and done all that they can to help end these atrocities.

I am proud to stand with them today as they call for the international community to help end the suffering being inflicted upon the North Korean people by the dictatorship of Kim Jong Il and the inhumane policies of the People's Republic of China.

Suzanne Scholte President Defense Forum Foundation USA

## Defense Forum Foundation USA

Ms. Suzanne Scholte, President

FYI: This is the fact sheet we are distributing to both Members of Congress and USA citizens regarding the 7 North Korean defectors who tried to enter the Chinese Foreign Ministry and includes a listing of others for whom we are concerned, plus background history of the seven and the letter that we sent to President Zemin (this is addition to the letter we sent to Bush last week.) We are hoping that this information will lead to letters from US lawmakers and private citizens

Warm regards,  
Suzanne Scholte

## DEFENSE FORUM FOUNDATION'S FACT SHEET ON SEVEN NORTH KOREAN REFUGEES' ATTEMPT TO APPLY FOR REFUGEE STATUS; OTHER ASYLUM SEEKERS

Background: The Chinese government's policy towards North Koreans who have crossed into its borders fleeing hunger and oppression in their homeland is to define them as "economic migrants" ignoring the fact that once they have crossed the border they are guilty of a crime against the North Korean regime. The North Korean regime considers "crossing the border" a direct attack on the state. It has been widely reported that North Korean refugees that have been repatriated by China to North Korea are subjected to human rights abuses including imprisonment in inhumanely-run detention centers, beatings, torture, and execution.

The Chinese government has complained that the growing number of North Korean refugees seeking shelter in foreign embassies and schools are breaking Chinese laws: first, by having entered China illegally and then by running past guards into these embassies. The Chinese government contends that the legal way to apply for refugee status is to file an application with the Chinese Ministry of Foreign Affairs (Beijing) or the UN High Commissioner for Refugees (Beijing). Yet, Chinese authorities make it impossible for these refugees to take either of these actions. They refuse to allow refugees to enter the Foreign Affairs Ministry, and they refuse to allow UNHCR access to the refugees.

In addition to being inhumane and an appalling reaction to these desperate and starving human beings, the treatment of North Korean refugees puts China in violation of the United Nations Convention Relating to the Status of Refugees of 1951 and the Protocol Relating to the Status of Refugees of 1967.

Incident In Front of the Chinese Foreign Ministry: On August 26, 2002, seven (four men and three women) North Korean refugees attempted to enter the Chinese Ministry of Foreign Affairs in Beijing in order to officially apply for refugee status. They had a banner with them that stated, "Give us Freedom or Death." The Chinese authorities arrested them before they could enter the Ministry, and later, issued a statement claiming that they had not applied from Beijing's Security Bureau to hold a demonstration thereby violating China's laws on protests and assembly and would be dealt with accordingly.

Most observers view the incident as a desperate attempt to apply directly to China for refugee status because security around embassies has become so tight. At the present time, their fate is unknown. Their names are, as follows:

Kim Jae-gon (60, male)  
Kim Jong-nam (36, male)  
Kim Mi-young (37, female)  
Jo Song-hye (27, female)  
An Choi-su (40, male)  
Ko Dae-Jung (56, male)  
Kim Hong (29, female)

Related Incidents Where the Status of Refugee/Asylum Seekers is Unknown and of Grave Concern:(this list is only partial but includes incidences widely reported and confirmed by sources in the region)

Other refugees were seized on:

- August 31 in Changchun in Northeast China 8 refugees and a South Korean aid worker named Kim Hee Tae were arrested. Their fate is unknown. In another incident near the Mongolia border on the same day, another defector was arrested: Yun Kum Shil (female). Two people helping her were arrested with her but released on September 25. Her fate is unknown, but it is feared that Ms. Yun was repatriated to North Korea.
- September 2 at the Ecuadorian Embassy in Beijing (8 refugees: Seong-hwa Han (45) and her son, Seong-Hee Cho (16), and daughter Hyun-hee Cho (12); Yeon-hee Kim (31) and her daughter, Il-hyun Cho (10), Jin-hee Choi (28), Kwon Chung (28), and Young-ho Cho (20)
- September 13 at the German School in Beijing, two refugees succeeded in entering the school, but the fate of two others seized by Chinese police, Dong-Soo Kim (41) and Jeong-Soo Lee (19) is not known.
- The fate of twelve refugees arrested with South Korean Pastor Chun Ki Won (who was eventually released) is still not known. Their names are Mi Hwa Rhyu (42). Sol-Hee Han (17), Myung-Ok Roh (38), Eun-Mi Jung (10), Eun-Chul Jung (8), Chul-Nam Kim (32), Chun-Mi Nam and her infant daughter born in prison, Ji-Sung Kim, Young-Ju Kim, Soon-Ok Ahn (37), Jun-il Kim, Young-Shik Rah (30).

Requested Action: We are requesting that letters be written to both President George Bush requesting that he raise this issue with China and that letters be sent to President Jiang Zemin, Ambassador Yang Jiechi, and Minister Jiaxuan requesting that the Chinese provide safe passage to these refugees to a third country as they have done for refugees that have gained entry into foreign embassies or at the very least provide information on their whereabouts.

President George Bush  
The White House  
Washington, D.C. 20500  
phone (comment line): 202-456-1111  
fax: 202-456-2461

President Jiang Zemin  
People's Republic of China  
Beijing, China

His Excellency Yang Jiechi  
Ambassador Extraordinary and Plenipotentiary  
Embassy of the People's Republic of China  
2300 Connecticut Avenue, NW  
Washington, D.C. 20008  
fax: 202-588-0032  
general embassy fax: 202-328-2582

Honorable Tang Jiaxuan  
Minister of Foreign Affairs  
People's Republic of China  
fax: 86-10-65962660

For more information, please contact Suzanne Scholte, Defense Forum Foundation, by phone at 703-534- 4313 or email: skswm@aol.com.

## A SAMPLE LETTER AND THE LIFE STORIES OF THESE REFUGEES FOLLOW.

Details of the seven North Korean refugees who tried to enter into the Chinese Ministry of Foreign Affairs in Beijing, China, on August 26, 2002.

The following are the life stories of the seven written by them and relayed to Moon Kook-han in the early morning of August 26, 2002 and then, translated by Sin-U Nam.

(1) Mr. Ko Dae-Chang, male, born on September 4, 1946, with address at 15 Ban, Tongheung-Dong, Joongyuk-Gu, Pyongyang City

I am a war orphan. I worked from 1965 when I was 16 years old through 1969 at a mine as a laborer in Soonchon, Pyungan Namdo Province. From 1969 through 1995, I worked as a laborer at a cement plant in Boosan-Ri, Pyungan Namdo Province. I joined the Communist Party in 1975, and worked as a hand at Saro Institute.

I married when I was 30, and got a daughter. Life was very tough, and it was common to miss meals everyday. The government controlled even the wedding ceremonies and birthday parties to cut down on food distribution. The Party members and the government officials demanded the people to contribute Patriotic rice to the government. They distributed rice and then forced the people to return the rice back to government.

One day desperate with hunger, my wife went to the rice distribution center, and complained to the officials. If we have rice, we will contribute. We are starving right now. How can we contribute rice to the government? She came back home, wrote a letter, and left home with my daughter.

While I was grieving over the split-up, a government official visited me and demanded, How come you did not discipline your own wife? He took me to the rice distribution center, and ordered me to write a confession on a piece of paper why I did not have my own wife under control. I told him I did not do anything wrong, and cleared my nose with that paper. I was taken to the Security Collection Camp in Soonchon City, and sentenced to a 7-months prison term. Soon, I became too weak physically, and they had to let me out. When I came

back home, my friends told me that they would imprison me again to fill the 7-months term. They all advised me to flee and go to China, now that I did not have even a family.

In December 2001, I crossed the frozen Tumen River, and escaped to China. I wandered about Jilin Province and Heilongjiang Province through June 2002, when I came to hear about the Association of the North Korean Youths Seeking Freedom. I decided to go with them, and escape from China. If I get to be sent back to North Korea, I will be executed for sure. They put me in prison for the crime of wasting a paper (for the confession) for 7 months. They would not keep me in prison alive this time when they find out I tried defection to South Korea.

(2) Mr. An Choi Su male, born on March 20, 1963, with address at Naeho-Dong, Heungnam-Gu, Hamkyong Namdo Province. Escaped from NK in 1996 first time.

I started to work as a construction worker from 1976 in Changjin-Goon, Hamkyong Namdo Province. I went to Siberia in 1983 to work as a lumberjack and came back to North Korea in 1987.

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\* This is a group of North Korean refugees that are trying on their own to escape from China. They are not affiliated with any non-governmental organizations outside of China.

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I worked on a pig farm in Changjin until I escaped from North Korea. I have wife and two daughters

at home. The famine in North Korea since 1993 forced me to steal foods. However, we could not live on raw corn, potatoes, and beans not ready for harvest yet. A friend of mine advised me to cross the border, and I crossed the Yalu River in June 1996.

First, I worked as a lumberjack for one year in the Changbaik Mountains in Jilin Province, but did not receive any wages. I was caught by the Chinese police, and was sent back to North Korea. I was taken to the National Security Collection Prison in Hyesan City, Yangkang-Do Province, but they gave us one spoonful of corn a day. I was transferred to the Hyesan Area Collection Prison, and they gave us corn flour three times a day, but not enough to live on. After a month, I was so weak I could not walk. I was so weak that the Security guards did not have to watch me. I escaped and went home to look for my family. They were gone, and I did not know whether they were forced to leave by the authorities or on their own. I left my hometown and escaped to China again in August 1997.

I wandered around Jilin Province and Heilongjiang Province helping out the farmers without pay. When I recovered a little, I went to work at a brick plant for pay. However, I could not have any paper money, because I was a refugee from NK. I went from place to place to make a living, when I met these people who could save me. I will be dead if I get sent back to North Korea. I left the country twice. They would not keep me alive in North Korea. Written on August 3, 2002.

(3) Mr. Kim Jong-nam, male, born on August 29, 1967, with address at 25 Ban, Duckheung-Ri, Hweryung City, Hamkyong Bukdo Province. Escaped from NK in April 1997.

I graduated from Duckheung High School in 1983, and was assigned to a paper manufacturing company. We did not receive any foods from the government since 1990,

and I went to the mountains to collect firewoods for living. I was accused of negligence at work, and was sent to a forced labor camp. This place was same as prison. We had to get up at 5 A.M., and had to make punch bricks all day long. At 11 P.M., we were forced to attend indoctrination classes. Our meals were corns only, and I thought I was going to die. If one does not work, they would beat you mercilessly. I began to plan escape, and succeeded. I went to my brother. My brother was not home. He was at work, and my sister-in-law was peddling old clothes at market to buy foods. All my nephews and nieces were starving and showed signs of mal-nutrition. The authorities bragged always how healthy the children were, but there were many children dying from starvation and cold. I told my brother that we would die also if we did not escape. I crossed the Tumen River in April 1977, and escaped to China.

I worked as a farm hand, but was not paid a penny. I could not go back home without money. I then worked at a Kimchee factory, and there was a police raid. I was arrested by the police, but the factory owner had pity on me and bailed me out with 3,000 yuan (\$250). I was grateful, and worked for him for one year without pay. I continued to wander, and when I was working at a farm near Harbin, Heilongjiang Province, I heard from a Korean-Chinese about the Association. I believed in them.

We began to realize how far better in South Korea through television in China. North Korean government made us believe that there was no freedom or democracy in South Korea and that it was a dark society. I realize now that it was not South Korea but North Korea that is a dark society. People while starving to death cannot even talk about the starvation, in North Korea. Workers who do not receive any food or pay cannot even complain. North Korea is now a big prison under the dictatorship of Kim Jong-il.

I now know that South Korea is the place of freedom, and want to live there like a human being. I want to live in South Korea even for one day as a South Korea citizen. I will work hard for the country if only they would accept us as Korean citizens.

(4) Ms. Kim Hong, female, born on April 12, 1973, with address at Seungho-Gu, Pyungyang City

I was the fourth child of seven brothers and sisters, and was born in Pyungyang. My father was born on May 29, 1927 in Chyungsoo-Ri, Jiphyun-Myon, Jinyang-Gun, Kyungsang Namdo Province(South Korea), and was taken to the North Korean Army during the Korean War. My mother was born in Pohang-Ri, Youngil-Myon, Youngil-Kun, Kyungsang Bukdo Province (South Korea), and came to China following her parents when she was 7 or 8 years old. After the War, she came to Pyungyang to work and stayed in Pyungyang. Our family was evicted from Pyungyang because my family was originally from the South, and sent to Moosan-Kun, Hamkyung Bukdo Province in 1982.

I graduated from the high school in Moosan and was sent to Moosan Civil Guards Unit under the 6th Corps, and worked there on Project 124 for 8 years. Project 124 was directed by the Commander himself and was a very big project. I worked there until July 1998, when I escaped. I was blamed for something I did not do, and I was imprisoned for 7 days at Project 124. I could not even have a drink for 7 days while I was in the prison. I received another summon the day after I was released, and I decided to escape then and there. I escaped on July 21, 1998 with the help of my brothers crossing Tumen River.

My father passed away in April 1997 shortly after he got an operation for Il-Yoo sickness. My mother ran away from home shortly after my father died.

After I crossed the border, I wandered around Heilongjiang Province and survived working as a household helper. I expected to make a fortune in China, but I could not even see a doctor because I did not have any money. I was treated like an animal in China only because I was a refugee. Nobody cared in China if a refugee died. I thought it was very wrong.

I was the lucky one as compared with other refugees. I could listen to South Korean broadcast during the night, and learned that South Korea became a very powerful country. My parents were from South Korea. I thought South Korea was my true home. Then, I heard about the Association.

I want to go to South Korea where I believe there is true freedom and peace. Written on August 3, 2002 by Kim Hong.

(5) Mr. Kim Jae-gon, male, born in 1942, in Yangsan-Kun, Kyungnam Namdo Province, and lived at 28 Ban, Kunnai-Ri, Kowon-Kun, Hamkyung Namdo Province

I was born in Milyang, Kyungsang Namdo Province(South Korea), and went to Hamkyung Namdo Province(North Korea) with my parents when I was a little boy. I worked at a food manufacturing plant in Kowon-Kun. Food distribution stopped in Kowon in 1996. Residents began to leave in search of foods.

I left Kowon on May 1, 1998, and arrived at Hweryung, Hamkyung Bukdo Province by train. On May 7, I crossed Tumen River with my family. It was very difficult in China because of language problem. I went into the mountains. We lived on fishing and hunting for 4 years in the mountains. I went to Beijing and Dairen to find my way to South Korea. I visited South Korean Embassy in Beijing to no avail. Chinese police was getting tougher on the refugees recently, and we went into the mountains again and lived like animals.

On June 8, 2002, the Chinese police and the North Korean agents found our hiding place. My family was arrested and sent back to North Korea, and I could do nothing but watch them from distance. I stayed near the prison where my family was for 45 days. On July 22nd, my family was loaded into a truck and taken to North Korea. I cried bitterly, but there was nothing I could do. I thought about killing myself, but decided to make money to rescue my family.

I decided to leave China for several reasons: First, we could not live like human beings in China. The refugees did not have an organization and were treated like dirt everywhere. We lived in constant fear because the Chinese police were after us, and the Chinese people informed on us to the police.

I happened to run into a Korean-Chinese lady, and she showed me the way to escape to South Korea. She gave me some food and clothing, and showed me the way to Beijing. I was introduced to the Association.

(6) Ms. Kim Mi Young, female, born in 1970, in Woonsan-Up, Woonsan-Kun, Pyungan Bukdo Province, and lived at 2 Ban, Kangan-Dong, Hweryung City, Hamkyung Bukdo Province.

My father worked in Soviet Russia in 1972, and came back to Hweryung in 1976 and worked at Project 35 as a construction worker. In October 1997, all my family moved Hweryung. My youngest brother died of starvation when he was in the army in July 1992. My mother died

from the shock in April 1995. My father left home looking for his sons, and I do not know where he is.

I graduated from People's School in 1978, and after graduating from the high school in 1982, I was sent to Technical School in Chungjin City for 2 years. I worked at the restaurant of the railroad construction site, and got married to a railroad engineer when I was 23, and got a daughter in April 1992.

They stopped foods distribution in 1989, and the life got very tough. My husband was not paid or given foods, and he got drunk very often. One day, he did not come home. I reported to the authorities of his disappearance, and they told me to go to the hospital. I found my husband dead when I got to the hospital. He was drunk on his way home, and was frozen to death on the street. We never had any marriage problem. I could not make a living without him, and my daughter died from starvation in July 1996 when she was only 4 years old.

I was alive physically, but was dead psychologically. They said North Korea was the first class nation, and we could not live on even if we worked hard. There was no medicine available at the hospitals. The government did not care if its own people died of starvation. I decided to escape to China.

Before I escaped to China, I saw many children sleeping outside, and many children frozen dead. I cried so many times thinking about my mother, my husband, and my own daughter who starved to death.

It has been 4 years since I came to China. It was tough in my own country, but it is as tough in China. I got married again in China, but my husband sold me to another man to pay off his debt of 8,000 yuan(\$950). I escaped from the man and saved my life thanks to an aged gentleman.

The aged gentleman was very nice to me, but he died from sudden sickness three months after I met him. I met another man in Heilongjiang by chance. He is my third husband. I knew him back in my hometown of Hweryung. I loved him back then, but my parents did not want him as my husband. Now, we met each other again in China.

We were fugitives from the law, but we somehow managed together. Things got very bad when they started to search for refugees more viciously. We then heard the good news that we could be saved if we go to Beijing and contact Mr. Ko Dae-jung.

My only dream is to live in South Korea as a Korean citizen.

(7) Ms. Jo Song Hye, female, born on February 25, 1976, with address at 49 Ban, Hangku 3 Dong, Danchun City, Hamkyung Namdo Province.

I worked from 1993 at the People's Army Defense Command in Mankyung-Ku, Pyongyang City as a nurse guide and copier, and was discharged from the Army in April 2000. I did not have any experience working with people, and things were very difficult. I tried to do some business, but it did not work out because I was a female. Then I heard from a lady from Moosan City, Hamkyung Bukdo Province, that I can make money in China. She suggested we go to China for 2 months and make money. I crossed Tumen River at 1:00 A.M. on April 20, 2000.

I was kidnapped by a stranger as soon as I crossed the River, and was sold to a man. His parents and their son were kind people, but the son could not marry because they were very poor. I lived with them for 2 years. When I heard there was a crackdown on the refugees, I was horrified. The Chinese police could arrest me and send me to North Korea anytime. I tried to escape many times to no avail. I got hurt when I tried to escape, and I was almost frozen to death by staying outside for several days.

I learned from TV that many refugees secured their freedom by going into the foreign embassies and consulates. I became very restless. My Chinese husband cannot protect me forever.

I then heard the good news about the Association. My life in China for 2 years was filled with constant agony and regret. I cannot describe how I survived. I cannot imagine going back to North Korea. There will be no life in North Korea for me. The reason why I want to go to South Korea is because I heard they respect human rights and have sympathy toward us, the North Korean people. I want to depend on the South Korean government. Please accept me and protect me even though I am not a competent person.

Daughter of Republic of Korea, Jo Sung Hye

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For more information, contact Sin-U Nam at 732-636-4800 or Suzanne Scholte, Defense Forum Foundation, at 703-534-4313.

## LETTER THAT DFF SENT TO CHINESE PRESIDENT ZEMIN

October 30, 2002

President Jiang Zemin  
People's Republic of China  
Beijing, China

Dear Mr. President:

On August 26, 2002, seven North Korean refugees (four men and three women) attempted to enter the Chinese Ministry of Foreign Affairs in Beijing in order to officially apply for refugee status. However, the seven were arrested as they tried to enter the Ministry.

These seven individuals were desperately trying to apply for refugee status directly to your authorities at the Ministry of Foreign Affairs and request safe passage to South Korea. Their names are, as follows: Kim, Jae-gon (60, male); Kim, Jong-nam (36, male); Kim Mi-young (37, female), Jo Song-hye (27, female); An Choi-su (40, male); Ko Dae-Chang (56, male), and Kim Hong (29, female).

Many individuals focusing on the North Korean refugees, including myself, are grateful for the times in which the Chinese government has allowed North Koreans to leave China for a third country, thereby complying with the international agreements your country has signed. However, the Chinese policy of continuing to repatriate North Koreans -- in violation of these agreements -- is exposing China to a great deal of international criticism for the cruelty of this action. The international community knows that each time China returns a refugee to North Korea, China is committing a crime against humanity for there is no doubt that

persecution, and probable execution, will follow for that repatriated individual whether man, woman or child.

We are deeply concerned about these seven North Korean refugees, but also the refugees the government of China seized:

on August 31 in Changchun in Northeast China (8 refugees and a South Korean aid worker named Kim Hee Tae were arrested);

on September 2 at the Ecuadorian Embassy in Beijing (8 refugees: Seong-hwa Han (45) and her son, Seong-Hee Cho (16), and daughter Hyun-hee Cho (12); Yeon-hee Kim (31) and her daughter, Il-hyun Cho (10); Jin-hee Choi (28); Kwon Chung (28) and Young-ho Cho (20);

on September 13 at the German School in Beijing: Dong-Soo Kim (41) and Jeong-Soo Lee (19);

as well as the twelve refugees arrested with South Korean Pastor Chun Ki Won (Mi Hwa Rhyu (42). Sol- Hee Han (17), Myung-Ok Roh (38), Eun-Mi Jung (10), Eun-Chul Jung (8), Chul-Nam Kim (32), Chun-Mi Nam and her infant daughter born in prison, Ji-Sung Kim, Young-Ju Kim, Soon-Ok Ahn (37), Jun-il Kim, Young-Shik Rah (30).

I urge you to advise the proper local authorities to release these North Korean refugees to the representatives of the Republic of South Korea or at least provide them safe passage to a third country. Because there are many individuals and organizations requesting information about these North Koreans, I look forward to a speedy answer from the Chinese government regarding their status.

Sincerely,  
Suzanne Scholte  
President  
Defense Forum Foundation

cc: Honorable Tang Jiaxuan, Minister of Foreign Affairs, People's Republic of China and His Excellency Yang Jiechi, People's Republic of China Ambassador to the United States

**CHRISTOPHER COX**  
**CHAIRMAN, HOUSE POLICY COMMITTEE**  
**U.S. HOUSE OF REPRESENTATIVES**

## Statement of Chairman Christopher Cox

House Policy Committee  
U.S. House of Representatives

Kim Jong Il has starved two million of his own people since 1995. As Kim Jong Il diverts food aid to his million man army and those loyal to his regime, his people continue to suffer unimaginable pain and misery. These conditions-starvation and economic deprivation, denial of all individual rights and freedoms, and political, social, and religious persecution-are causing the people of North Korea to risk death to cross the border into the People's Republic of China.

My own country was settled by those fleeing oppression for the promise of freedom and prosperity in another land. But the fate awaiting North Korean refugees crossing into the PRC is not self determination, freedom, and prosperity. Rather, these poor starving souls are met with the constant fear of being returned by the Chinese authorities to North Korea, where they face imprisonment, torture, and death.

The United States and the international community must redouble our support for the human rights of the people of North Korea. The PRC must end its cruel policy of repatriating North Korean refugees caught living in the PRC, and honor its international obligations.

The Universal Declaration of Human Rights, the 1951 United Nations Convention Relating to the Status of Refugees (and the 1967 Protocol to that Convention), the Vienna Convention on Diplomatic Relations, and the Vienna Convention on Consular Relations all obligate the PRC to treat North Korean refugees humanely. For the same reasons, the PRC must grant the UN High Commissioner for Refugees access to the PRC-DPRK border area to help determine which individuals require protection as refugees.

I commend Norbert Vollertsen, Hiroshi Kato, and all of the human rights activists here today for their work to help the North Korean refugees and their continued commitment to the people of North Korea. On behalf of the United States Congress and all of the people of Southern California whom it is my privilege to represent, thank you for your leadership and your undying efforts for freedom.

JOSEPH R. PITTS  
US CONGRESSMAN

## Statement of Congressman Joseph R. Pitts

I would like to extend my thanks to the Life Funds for North Korean Refugees organization and their work to assist the suffering people of North Korea.

I have had the great honor of meeting with a number of North Korean defectors over the years. I consider it a privilege to be working with the courageous North Korean people who dare to hope that they can bring freedom and prosperity to their people and nation.

One young man I met was imprisoned at age ten because the North Korean regime incarcerates THREE generations of a family due to one generation's crime. Another woman I met described the terrible torture she endured because she was honest and would not embezzle material goods for her boss. As a result, he concocted false crimes, she was arrested, taken to a prison camp and routinely tortured to the point of losing consciousness. As soon as she lost consciousness, the security officials would pour water on her face, revive her, and begin the torture process over again. All this for fourteen months then she was sentenced to 13 years in a re-socialization camp --

North Korean women who escaped to China and who dyed their hair or wore earrings, would undergo painful punishment after they came back to North Korea. Their heads are pounded against the wall and their earrings are wrenched out with pliers. The same treatment is given to women who wore eye makeup. Even after having gone through all of this the women would still run away after release from the labor rehabilitation center. Those I've seen return from China and from those labor rehabilitation centers are hard to recognize; their looks are changed from beating, starving, and forced labor. In addition, credible reports state that North Korea not only conducts terrorist operations against [South Korean] citizens, but also operates warfare training facilities to train international terrorists and other revolutionaries around the world.

Dr. Vollertson, a German doctor who lived and worked in North Korea for 18 months, made a strong statement that should spur the international community to action. When comparing the North Korean prison camps to Nazi concentration camps, Dr. Vollertson said, No journalists, nobody wanted to believe that Hitler is so cruel, that the German government is so cruel. I think it is my duty as a German to learn from history, to not make the same mistake twice.

It is the duty of the international community not to make the same mistake again and ignore the plight of thousands of people in North Korea who are starving or who are in terrible prison camps where they are beaten and tortured in horrific ways. The international community must raise our voices together even more strongly in support of the people of North Korea. All nations and peoples who can speak and act must do so on behalf of the people of North Korea and to ensure that the regime in North Korea no longer is allowed to continue destroying its people.

**MR. TA PETERS  
HELPING HANDS KOREA**

## Helping Hands Korea

TA Peters

### In Defense of North Korean Refugees and Activists Who Help Them

We at Helping Hands Korea would like to use the opportunity of today's press conference in Tokyo hosted by Life Funds for North Korean Refugees (LFNKR) to once again add our voice to the growing chorus of those speaking out forcefully in defense of North Korean refugees in China and the aid workers who dare to assist them. We wish to reiterate the following:

- a) We are thankful for the safe return of Mr. Hiroshi Kato, senior protection officer, of the Life Funds for North Korean Refugees, from seven days of detention and duress in China. However, we remain gravely concerned for the welfare of the following humanitarian aid workers who remain detained in Chinese prisons, in some cases, for 3-6 months: Mr. Choi Bong-il, Mr. Kim Hee-tae, Mr. Choi Won-dal, Mr. Joseph Choe, and Mr. Kim Keun-nam. We call for their immediate release of these humanitarian aid workers who have shown compassion on North Korean refugees during their ordeal in China.
- b) We call upon the Chinese government to immediately halt its customary and unrelenting practice of repatriating North Korean defectors to North Korea. This practice of re-outrage of detained defectors is in direct violation of international law and places repatriated North Koreans, especially Christians, in grave danger of inappropriate prison terms, torture and even capital punishment. It has been clearly established that defectors from North Korea are charged upon their return under Article 47 of the DPRK criminal code of betraying the Fatherland, a grievous political crime.
- c) North Korean defectors who have fled to China, either due to famine conditions or well-founded fear of religious and/or political persecution, have the undisputed right to be interviewed by the UNHCR officials based in Beijing.
- d) The Chinese government is a signatory of the 1951 Convention of the Rights of Refugees as well as the related and confirmatory 1967 Protocol. We call upon China to honor its crystal-clear obligations under these international instruments by calling an immediate halt to its longstanding policy of denying UNHCR officers 'unimpeded access' to the northeastern provinces of China to make contact with North Korean defectors for the purpose of interviewing and determining their individual eligibility for refugee status.
- e) We call for an immediate halt to the Chinese government's practice of offering to its citizens a bounty of approximately USD\$ 70 for the identification of a North Korean defector in hiding and the approximately 10 times that amount for the report to authorities of the identity of an aid worker who provides humanitarian assistance to North Korean defectors. These bounties are a gross violation of international law and every principle of human dignity; they diminish the integrity of China before the international community.

f) We urge the UNHCR office in Beijing in the strongest possible terms to reverse the passive course it has largely demonstrated heretofore and now show an active concern for North Korean defectors and carry out its mandate to both determine and protect refugees.

We applaud the dedication and courage of LFNKR and all who stand with them in speaking out in defense of those who find themselves without food, protection, human rights and hope: North Korean refugees.

TA Peters  
Helping Hands Korea

SUPPLEMENTARY DOCUMENTS

HUMAN RIGHTS WATCH

## Human Rights Watch – English Summary of Report

**Embargoed for Release:**  
**Monday, November 18, 2002**  
**At 21:00 GMT**  
**(For Tuesday's papers)**

**For more information, please contact:**

In New York, Dinah PoKempner: +1 212 216 1210 (o)

In Washington, D.C., Mike Jendrzeczyk: +1 202 612 4341 (o) or +1 301 585 5824 (h)

In Brussels, Jean-Paul Marthoz: +32 2 732 2009

In London, Urmi Shah: +44 20 7713 2788

### **China: Protect Rights of North Korean Asylum-Seekers**

(New York, Nov. 19, 2002) — China must end the forcible return of North Korean asylum-seekers and the arrest and harassment of aid workers who assist them, Human Rights Watch said in a new report released today. The 36-page report, *The Invisible Exodus: North Koreans in the People's Republic of China*, details the exploitation and years of life underground that North Koreans endure in China.

The report documents the trafficking of North Korean “wives” for Chinese men, and the torture and humiliation returnees suffer at the hands of North Korean officials. Based on interviews with North Korean refugees now in Seoul, humanitarian activists, academics and government officials in various countries, the report paints a grim picture of the sub-human conditions and abuses returnees are subject to in forced labor colonies and prison camps in North Korea.

“North Korea bears the main responsibility for this exodus of refugees, who are fleeing hunger and human rights abuses at home,” said Mike Jendrzeczyk, Washington director for Asia at Human Rights Watch. “But the Chinese government has important responsibilities, too. Forcibly returning asylum seekers is a blatant violation of international law.”

Since 1982, China has been a party to the 1951 United Nations Convention on the Status of Refugees and its 1967 Protocol, which obligate signatories not to forcibly return asylum seekers who face persecution at home. North Koreans who are forced to return may receive prolonged prison terms or even the death penalty if their “crime” of leaving is interpreted as treason.

Until North Korea changes its policy of punishing returnees and opens itself to international monitoring, all asylum-seekers from North Korea should be presumed entitled to protection from forced return, even if their motivation for leaving has not been established, Human Rights Watch said.

Human Rights Watch urged the international community to pressure North Korea to comply with its human rights obligations and called for adoption of a resolution on North Korea at next year's session of the U.N. Commission on Human Rights in Geneva. Human Rights Watch also called on China to allow the U.N. High Commissioner for Refugees (UNHCR) immediate access to the border region to interview asylum-seekers.

The exodus of North Koreans to China reached a height in the late 1990's as a result of the food crisis, but continues today as the result of extreme poverty and repression. Escape routes became well established through bribery and word of mouth. Thousands of North Koreans are now hiding in China, mainly in the province of Jilin along the border region with North Korea; the exact number is impossible to determine.

The international community largely ignored this outpouring until North Koreans began breaking into diplomatic compounds in Beijing and elsewhere to seek asylum earlier this year. From March-September 2002, a total of 121 North Koreans eventually managed to leave China for South Korea. The Chinese authorities have responded by tightening security around diplomatic compounds, demanding that embassies turn over North Koreans, and tightening security measures at the border.

Governments involved in human rights dialogues with Beijing, such as the European Union, Japan, the United States and Canada, should devote urgent attention to the plight of North Korean asylum seekers. They should press China to immediately begin a high level dialogue with the UNHCR on establishment of refugee screening. As an interim step, Beijing should grant all North Koreans an indefinite humanitarian status that would protect them from harassment and threats of extortion or forcible repatriation to North Korea.

"The world can no longer turn a blind eye to asylum seekers from North Korea," said Jendrzejczyk. "A coordinated effort is needed to protect their rights."

Until Monday, November 18, 2002, the report will be available online at <http://docs.hrw.org/embargo/northkorea/> using the username: 'dprk' and the access-code: 'report2k2' Beginning November 19, the report will be online at <http://www.hrw.org/reports/2002/northkorea/>.

### **Testimonies from *The Invisible Exodus: North Koreans in the People's Republic of China***

Whenever I think of that moment, I sweat. What would have happened if I were caught at that moment? [Because of my family background] the [North Korean] National Security Agency would regard me as a spy or a traitor, and might kill me by gunshot, or imprison me for life without any court procedure. I might have been sent to an administrative labor camp, or a secret mine, or perhaps my body would be used as an object for chemical experimentation. Anyhow, I would have wound up like a dead body, though I might be breathing.

—Survivor of North Korean labor camp

When a North Korean woman crosses the Tumen River and knocks on the door of a Korean-Chinese house asking for food, she may be helped. After a few days pass, some of her "protectors" may advise her to marry. After getting her to agree, they will be paid 2000 or 3000 renminbi [U.S.\$240 to U.S.\$360] by the husband's family....North Korean women are trafficked first to Korean-Chinese, and then subsequently to Chinese. They are slaves; sexual toys.

—Humanitarian worker who had assisted North Korean refugees in China from 1997 to 2001

*During my stay there, 1,200 people were sent to the facility and I saw only seven people who left without physical injury or harm. Many people died because of an epidemic, and many others were shot to death. The facility generally released people when they believed that the person would no longer survive. Many of the detainees suffered from pulmonary tuberculosis or other diseases. There were about three hundred people in the camp, with a group of thirty in each room. About one hundred people were sent each month, and about ten people were dead every day. If someone didn't receive one meal per day, he would be so weak from starvation that he could not move properly. Since there were no coffins, they put the bodies on a plank and carried them to a hill and buried them.*

—A former border guard held in a North Korean detention camp

## Human Rights Watch – Japanese Summary of Report

### 中国は北朝鮮人庇護希望者の権利を守れ

詳しい情報についての問合せ先

ニューヨーク:Dinah PoKempner: +1 212 216 1210 (o)

ワシントンDC:Mike Jendrzeczyk: +1 202 612 4341 (o)

or +1 301 585 5824 (h)

ブリュッセル:Jean-Paul Marthoz: +32 2 732 2009

ロンドン:Urmi Shah: +44 20 7713 2788

(2002年11月19日ニューヨーク)

中国は、庇護希望者の北朝鮮への強制送還、および彼等を援助する救援活動従事者の逮捕や嫌がらせを止めなければならない。本日リリースされたヒューマン・ライト・ウォッチのニュース・レポートは、このように述べている。その報告書「知られざる脱北者—中華人民共和国の北朝鮮人」は、中国にいる北朝鮮人たちが耐え忍んできた搾取や長年の潜伏生活について詳しく紹介している。

この報告書は、中国人男性を対象とした北朝鮮人「妻」の人身売買、帰国者を待ち受ける北朝鮮当局による拷問や屈辱をあきらかにしている。報告書は、現在ソウルにいる北朝鮮人難民、人道的活動家、学術関係者、様々な国の政府高官へのインタビューを元に、帰国者が北朝鮮の強制労働収容所や捕虜収容所で受けている人間以下の取扱や虐待の醜い絵姿を浮き彫りにしている。

「自国での飢えや人権侵害から逃れようとする難民の脱北行動の責任のほとんどが北朝鮮にある」とワシントン在住のヒューマン・ライト・ウォッチのアジア担当ディレクター、マイク・ジェンドレージクは語る。「しかし中国にも大きな責任がある。庇護希望者の強制送還は、あからさまな国際法侵害である」。

1982年、中国は、自国で迫害を受ける庇護希望者の強制送還の禁止を条約国に義務付けている1951年の「難民の地位に関する国連条約」および1967年の同「議定書」の締結国となっている。強制送還された北朝鮮人は、脱北が反逆罪と解釈されれば、長期の実刑、さらには死刑を宣告される恐れさえある。

帰国者を厳罰に処すという政策を北朝鮮が変え、国際監視団を受け入れるまで、たとえ脱北の動機が確定していない場合であっても、北朝鮮人の庇護希望者は全員強制送還から保護される資格を有するものと見なすべきである、とヒューマン・ライト・ウォッチは語る。

ヒューマン・ライト・ウォッチは、国際社会に対し、人権義務を遵守するよう北朝鮮に圧力をかけ、来年ジュネーブで開かれる国連人権委員会で北朝鮮に関する決議を採択するよう呼びかけている。また中国に対しては、庇護希望者にインタビューするためにただちに国連難民高等弁務官の立ち入りを認めるよう要求している。

北朝鮮人による中国への脱出は、1990年代終わりの食糧難でピークに達したが、極貧や弾圧が今なお脱北者を生み続けている。逃亡ルートは、賄賂やロコミで良く知られるところとなった。現在、中国には何千もの北朝鮮人が潜伏している。その多くが北朝鮮と国境を接する吉林省に集中している。しかし実際の数字を確定することはほぼ不可能である。

国際社会は、北朝鮮人たちが今年初めに庇護を求めて北京や他の都市にある在外公館の敷地内にこぞって駆け込み始めるまで、この大量脱北にほとんど見て見ぬふりをしてきた。2002年の3月から9月にかけて、計121名の北朝鮮人がついに韓国に向けて中国を出国した。それらの事件を受けて、中国は、外交関係施設周辺の警備を強化し、大使館に北朝鮮人の引渡しを要求し、国境周辺の警備を強化することで脱北者問題に対応した。

欧州連合、日本、アメリカ合衆国、カナダなど、中国政府と人権問題を協議している国家政府は、庇護を希望する北朝鮮人の苦境に直ちに注意を傾注しなければならない。そういった国々は、中国に対し、難民認定審査の実施につき、国連難民高等弁務官と高官レベル協議を直ちに開始するよう強く働きかけていかなければならない。暫定措置として、中国政府は、すべての北朝鮮人に対し、嫌がらせや強奪の脅威、または北朝鮮への強制送還から彼等を守る無制限の人的地位を認めるべきである。

「世界はもはや北朝鮮からの庇護希望者の現状を見て見ぬ振りするわけには行かない」とジェンドレークは語る。「彼等の権利を守るために一致協力した取り組みが必要である」。

2002年11月18日まで、同報告書は<http://docs.hrw.org/embargo/northkorea/>で入手可能（ユーザー名「dprk」およびアクセスコード「report2k2」を使用のこと）。11月19日以降は、同報告書は<http://www.hrw.org/reports/2002/northkorea/>入手することが出来る。

THIS DOCUMENT PRODUCED BY  
LIFE FUNDS FOR NORTH KOREAN REFUGEES, an NGO

Website: <http://www.northkoreanrefugees.com>  
E-mail: [nkkikin@hotmail.com](mailto:nkkikin@hotmail.com)

ADDRESS: A-101 Nishi Kata Hyteru  
2-2-8 Nishi Kata, Bunkyo-ku  
Tokyo, Japan 113-0024  
Tel / Fax +81-3-3815-8127

Our special thanks to go all the many people and organizations who contributed material, information, documents, help and encouragement in the process of putting together the press conference for which this Press Kit has been assembled.

Best regards from Japan,  
Kenkichi Nakadaira  
Representative  
Life Funds for North Korean Refugees