NEWS RELEASE

UNITED NATIONS HUMAN RIGHTS SPECIAL PROCEDURES
SPECIAL RAPPORTEURS, INDEPENDENT EXPERTS & WORKING GROUPS

China must not forcibly repatriate North Korean escapees: UN experts

GENEVA (17 October 2023) – China must consider alternative solutions to forcible repatriation of North Korean escapees, UN experts* said today, calling on the country to respect the principle of *non-refoulement* guaranteed under international law.

"We are alarmed by reports we have received that China has forcibly repatriated hundreds of escapees from the Democratic People's Republic of Korea (DPRK), the vast majority of whom are women, despite appeals repeatedly made by multiple international human rights bodies to refrain from doing so," the experts said.

Hundreds of individuals reportedly remain in detention facing the same fate.

According to the experts, there are long-standing and credible reports to believe that North Korean escapees forcibly returned to the DPRK would be subjected to torture, cruel, inhuman or degrading treatment and punishment and other serious human rights violations. Individuals are labelled "criminals" by authorities if they commit "illegal border-crossing" and "traitors" if the authorities find any link suggesting an "intention to escape to the Republic of Korea". If labelled "traitors", they receive harsh punishments, including imprisonment without due process, and they may be subjected to enforced disappearance and even execution, the experts warned.

"No one should be returned to a country where they would face the risk of torture, cruel, inhuman or degrading treatment or punishment and other irreparable harm, including the use of the death penalty, and enforced disappearance," the experts recalled.

They emphasised that the principle of *non-refoulement* must be applied to all individuals at all times, regardless of their migratory status. The prohibition of *refoulement* forms an essential protection under international human rights, refugee, humanitarian and customary law, and is explicitly included, among others, in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment as well as the 1951 Convention on Refugees and its 1967 Protocol to which China is a party, they said.

"We appreciate China's official response to our joint letter in which we raised our concern over *refoulement*. We urge China to abide by its international legal obligations and not forcibly repatriate remaining North Korean escapees," they said.

"We welcome the reopening of the border and urge the DPRK to allow UN agencies, other humanitarian organisations and diplomatic missions to return to the country as

soon as possible and engage the relevant Special Procedures of the Human Rights Council to review its human rights," they said.

"We call on the DPRK to comply with its international legal obligations in respect to all citizens returning to the country, including the absolute prohibition on torture and enforced disappearance, the prohibition of arbitrary detention, and fair trial guarantees," the experts said.

ENDS

***The experts: Elizabeth Salmón**, Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea; **Aua Baldé (Chair-Rapporteur), Gabriella Citroni (Vice-Chair), Angkhana Neelapaijit, Grażyna Baranowska, Ana Lorena Delgadillo Pérez, Working Group on enforced or involuntary disappearances; Reem Alsalem, Special Rapporteur on violence against women and girls, its causes and consequences; Dorothy Estrada-Tanck (Chair), Ivana Radačić (Vice-Chair), Elizabeth Broderick, Meskerem Geset Techane and Melissa Upreti,Working Group on discrimination against women and girls; Felipe González Morales, Special Rapporteur on the human rights of migrants* and **Working Group on arbitrary detention: Priya Gopalan (Chair-Rapporteur), Matthew Gillett (Vice-Chair on Communications), Ganna Yudkivska (Vice-Chair on Follow-Up), Miriam Estrada-Castillo, and Mumba Malila.**

The experts are part of what is known as the Special Procedures of the Human Rights Council. Special Procedures, the largest body of independent experts in the UN Human Rights system, is the general name of the Council's independent fact-finding and monitoring mechanisms that address either specific country situations or thematic issues in all parts of the world. Special Procedures experts work on a voluntary basis; they are not UN staff and do not receive a salary for their work. They are independent from any government or organization and serve in their individual capacity.

For additional information and media requests please contact: Madoka Saji (madoka.saji@un.org)

For media enquiries regarding other UN independent experts, please contact Maya Derouaz (maya.derouaz@un.org) and Dharisha Indraguptha (dharisha.indraguptha@un.org)

Follow news related to the UN's independent human rights experts on Twitter @UN_SPExperts.

Concerned about the world we live in?
Then STAND UP for someone's rights today.
#Standup4humanrights
and visit the web page at http://www.standup4humanrights.org