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DATABASE CENTER FOR NORTH KOREAN HUMAN RIGHTS

Testimony of

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BEFORE

The Congressional Executive Commission on China (CECC)

ON

“North Korean Refugees and the Imminent Danger of Forced Repatriation from China”

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Mr. Chair, Mr. Co-Chair Senator Jeff Merkley, and distinguished Members of the Commission:

I am honored to appear before you today to discuss the urgent and critical situation of North Korean escapees in China. I am the Director for International Cooperation and a researcher at the Database Center for North Korean Human Rights (NKDB), and I want to speak to you today on behalf of the thousands of North Koreans whose voices have been silenced by both their own North Korean government and the Chinese government where they sought refuge.

Kim 00 was trafficked into China at 18 years old. For over a decade, she lived in hiding, constantly evading authorities and struggling to survive. However, her life took a tragic turn when an accident exposed her lack of identification. She was taken in by the Chinese public security bureau and ultimately repatriated to North Korea. There, she endured torture and punishment, sentenced to five years in prison for being a so-called ‘traitor to the state.’ As soon as she was released from prison, in 2019, she crossed the border again. This time, she was determined to make it to South Korea but her plans were derailed by the onset of the COVID-19 pandemic. For four long years, she hid in China, under increasing surveillance, living in fear of what would happen if she would get caught again knowing full well the c

onsequences if she was sent back to North Korea. She finally found a broker in 2023 who warned her of impending repatriations. Desperate to avoid her past fate, she took a leap of faith and paid a steep price to secure her passage to South Korea. Ms. Kim's journey reflects the resilience and courage of those who strive for freedom against all odds. Unfortunately, her new start in South Korea is not the ending that the thousands of North Koreans detained in China will be able to experience if we do not act now.

No protection or recognition in China

There are an estimated more than 10,000 North Koreans who have fled across the border into China, some have been trafficked and some have fled with the hope for a better life. They reside clandestinely and without legal status or protection. North Korean escapees in China unequivocally meet the refugee definition set forth by the 1951 Refugee Convention. Their stories are filled with unimaginable suffering and their pursuit of freedom is both courageous and urgent. The horrifying fate that awaits these escapees if they were to be forcibly returned to North Korea is unimaginable. Arbitrary detention, torture, forced labor, and even execution are the grim realities they face. The fear they carry is not unfounded; it is well-documented and based on countless testimonies of those who have managed to escape the oppressive regime. The Chinese government has routinely labeled North Koreans who fled from North Korea as "illegal economic migrants" and forcibly repatriated them under a bilateral border protocol signed by the governments of North Korea and China in 1986. NKDB has recorded 8,125 cases of forced repatriation of North Koreans in its Database and 32,198 cases of human rights violations that were inflicted on those upon repatriation including torture, sexual violations and executions.

The threat posed by China's surveillance technology and life during COVID

Despite the well-known reality that North Koreans face when they are forcibly repatriated, they are still considered illegal immigrants by the Chinese government and are subject to arrest and repatriation to North Korea. This fear of repatriation prevents many North Koreans from seeking help from Chinese authorities or other organizations, leaving them vulnerable to exploitation and abuse. This fear has increased exponentially due to the threat posed by China's surveillance technology to North Korean refugees. China's increasing use of emerging technology is being used as a tool of repression that affects the most vulnerable groups including North Korean refugees. Many North Koreans spoke about how the advanced surveillance capabilities, such as facial recognition and biometric systems, are used to monitor and track the movements of those in China. However, anonymity, invisibility, and use of the underground system is essential to avoid repatriation. The living condition

s of North Korean escapees in China during China's implementation of its Zero-Covid Policy.

The annual number of North Korean defectors arriving in South Korea before the COVID-19 pandemic used to reach around 1,000 individuals. However, the combination of China's surveillance technology and North Korea's extreme border measures, including shoot-on-sight orders and the expansion of fences, led to a dramatic decrease in defections last year, with only 67 individuals successfully making it to South Korea. The extensive use of video cameras and facial recognition software has been instrumental in suppressing these numbers, making it incredibly challenging for North Koreans to escape.

Testimonies indicate that the cost of broker fees has surged from 20 million won (approximately 15,000 USD) per person prior to COVID-19 to 50 million won (around 38,000 USD) per person as of early 2023. Over the past three years, broker fees have more than doubled, reaching 2.5 times their previous amount. It can be inferred that the risks associated with defection from North Korea have heightened due to the heightened blockade of the North Korea-China border and the intensified security measures to prevent defections. Consequently, there is a scarcity of brokers, as fewer individuals are willing to undertake the associated risks. Troublingly, there have been instances where brokers have rejected offers of 100 million won (approximately 75,000 USD) due to concerns about security. Furthermore, brokers face significant obstacles in supporting defections from North Korea, as China has embraced electronic payment systems linked to identification, making it difficult to utilize cash as a means of covert transactions. The proliferation of facial recognition technology in China has further compounded the challenges, as it significantly augments surveillance efforts and restricts the movements of North Koreans.

The decline in defections does not stem from a diminished desire among North Koreans to escape their oppressive regime. Rather, it reflects the mounting difficulties imposed by China's pervasive surveillance measures. Regrettably, this situation has enabled China to achieve its objective of effectively curtailing successful defections and further entrenching its control over the situation.

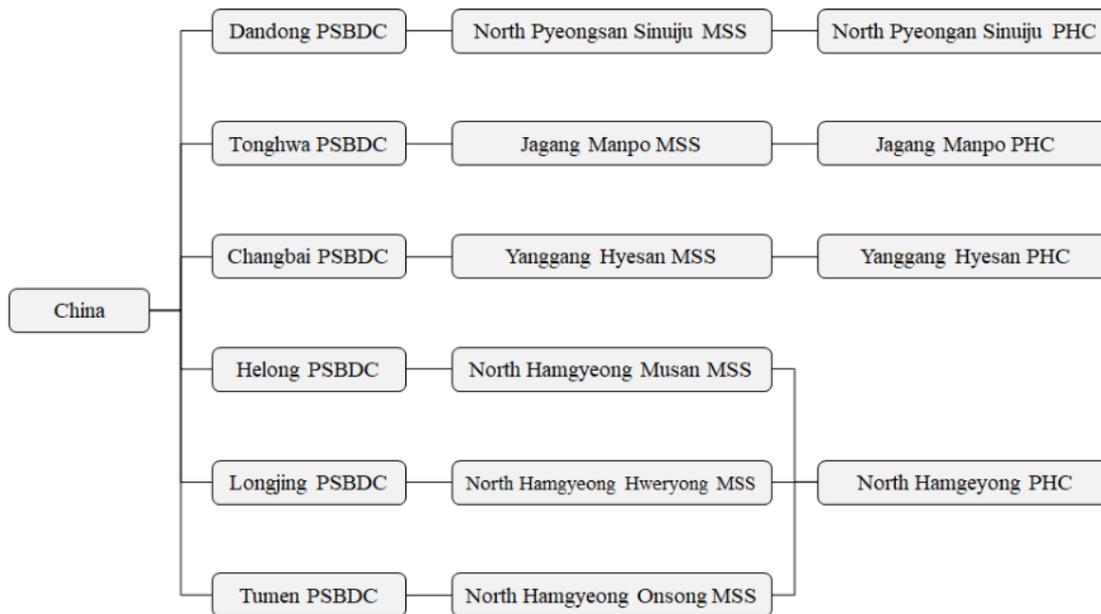
As COVID-19 restrictions have started to ease, there have been notable instances of North Koreans in China endeavoring to defect once more to South Korea. Tragically, these attempts have resulted in a surge of arrests. The Database Center for North Korean Human Rights (NKDB) has witnessed an increasing number of North Korean escapees residing in South Korea, who have come forward to share distressing accounts of their family members being apprehended and detained in China while attempting to flee again. The Chinese police, who previously refrained from actively arresting these individuals due to the challenges associated with repatriation, have now intensified their efforts to forcibly repatriate them to North Korea.

Thousands awaiting forced repatriation across the border

The Special Rapporteur on the Situation of Human Rights in the DPRK, has also expressed concern that the COVID-19 pandemic, and the resulting closure of the Sino-North Korean border, has led to a sharp increase in the number of North Korean escapees who are continuously detained as they wait to be repatriated back to North Korea. The event of an opening of the border and the resumption of forced repatriation, these victims face harsh human rights violations upon their return to North Korea.

The estimated figures, ranging from 600 to 2,000, suggest that the detention centers in China, especially those situated near the borders, are operating at full capacity. As an organization with extensive experience in interviewing North Koreans who have successfully entered South Korea, we have diligently documented that around 60% of escapees who utilized the China route have faced at least one arrest during their arduous defection journey. However, since the onset of the COVID-19 pandemic, the escapees we have spoken to reported a notable change – they have not been subject to arrests. Regrettably, this implies that those who are currently apprehended are no longer being released, exacerbating the already dire situation faced by North Korean refugees. These observations lead us to a grave assumption: the number of individuals detained is likely increasing, creating a growing population of vulnerable individuals held captive within the Chinese detention system.

Once North Koreans are arrested and interrogated by the public security bureau they are sent to be detained and repatriated through the Public Security Border Defense Corps (PSBDC) in the areas near the Sino-North Korean border. NKDB, through field investigations as well as interviews with former detainees and former Chinese officials have been able to confirm the location of six major Public Security Border Defense Corps (PSBDC) detention facilities which are located in the border regions with North Korea.



Source: 2020 White Paper on North Korean Human Rights, Database Center for North Korean Human Rights

Without access to firsthand accounts from detainees or insider sources, it becomes challenging to ascertain the complete scope of the circumstances within which North Korean refugees are being held in these facilities. To gain insights into the situation, NKDB has closely monitored the six established repatriation routes for any notable changes, particularly during the COVID-19 pandemic. Examination of satellite imagery by NK Pro based on information provided by NKDB reveals significant developments at the Public Security Border Defense Corps (PSBDC) facility in Helong, known for its involvement in repatriating North Korean refugees to Musan in North Hamgyong Province. The satellite imagery has revealed the construction of new fencing and additional facilities surrounding a watchtower overlooking the border. Furthermore, in the summer of 2021, new buildings were erected within the premises of the detention centers, as well as the renovation of the existing main building. These observations raise compelling questions: Who was mobilized to undertake the construction of these facilities, and what factors necessitated the expansion of this particular detention center?

The inability to directly answer essential questions regarding the detention facilities in China, particularly in relation to the treatment of detained North Korean refugees, raises significant concerns. In the past, we had access to North Korean escapees who had managed to flee to safety, providing crucial insights into the human rights violations they encountered. However, the current lack of direct access hampers our ability to fully comprehend the conditions within these facilities. This knowledge gap is deeply troubling, as it can lead to impunity, an increase in human rights violations, and a lack of accountability. When we are unable to fully investigate and understand the operations and practices within these detention fac

ilities, perpetrators of human rights abuses are emboldened. The absence of external scrutiny allows for violations to occur without consequence, perpetuating a climate of unchecked mistreatment and further eroding the rights and dignity of individuals. The lack of transparency and accountability fosters an environment where abuses can thrive, undermining the principles of justice and human rights.



Across the border from the Helong PSBDC is Musan County, a border town where one of the North's biggest iron mines is located. Once North Korea reopens its border with China, Beijing is widely expected to repatriate the North Korean escapees back to the North. If this massive repatriation takes place, a humanitarian crisis will unfold. Reports from survivors detail harrowing experiences of torture, including

beatings, electric shocks, and sexual violence perpetrated by North Korean security forces upon repatriation. These acts are aimed at instilling fear and further subjugating the repatriated individuals, forcing them into compliance with the oppressive regime's demands. In addition to physical torture, repatriated individuals are often subjected to forced labor, being forced to work in grueling conditions without proper remuneration or basic rights.

The eyes of North Korea watchers around the world are fixed on the highly anticipated opening of the North Korean and Chinese border. This development not only carries implications for trade and economic exchanges but also holds significant potential for preventing North Koreans from being isolated from the rest of the world once again. The opening of the border represents a ray of hope for the North Korean people, as it signifies a possible pathway to increased engagement, exposure to different ideas, and access to vital resources. The long-standing isolation and strict controls imposed by the North Korean regime have kept its citizens cut off from global developments and limited their opportunities for growth and progress.

However, amid this positive anticipation, concerns persist regarding the fate of North Koreans who are currently detained at the border, anxiously awaiting repatriation. These individuals, who have risked their lives to escape the oppressive regime, now find themselves in a precarious situation. The fear of being forcibly returned to North Korea, where they would face severe punishment and persecution, looms heavily over them.

The Database Center for North Korean Human Rights has been honored to engage with the remarkable individuals who have defied immense challenges to find sanctuary in South Korea amidst China's Zero-Covid Policy and the closure of the DPRK-Chinese border. However, we must acknowledge that these individuals represent a fortunate few. We must not forget the thousands who continue to endure lives overshadowed by fear, yearning for the day they too live in freedom.

It is imperative that the United States government and the international community take every possible measure to prevent the forced repatriation of North Korean refugees and provide them with the necessary protection they urgently require. Robust diplomatic efforts must be undertaken to urge China to refrain from forcibly repatriating these vulnerable individuals and instead grant them access to asylum procedures. In addition, we strongly recommend facilitating the safe passage of North Korean refugees to South Korea or other third countries. Furthermore, we call upon China to grant the International Committee of the Red Cross (ICRC) access to the detention facilities where North Korean refugees are held, and the United Nations Refugee Agency (UNHCR) must be empowered to exercise its mandate and ensure the safety and well-being of detained North Korean refugees.

Let us remember that the fate of these individuals hangs in the balance. Their lives are marked by unimaginable suffering and the constant fear of persecution. As a global community, we have a responsibility to protect and support those who have risked everything in pursuit of freedom. Through concerted efforts and unwavering commitment, we can create a future where no North Korean refugee is left behind, and where the fundamental principles of human rights and dignity prevail.

Thank you.