

Congressional-Executive Commission on China
Hearing on
**North Korean Refugees and
the Imminent Danger of Forced Repatriation from China**
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Statement of
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Chairman Smith and Vice Chairman Merkeley. Thank you for the invitation to testify today before the Congressional-Executive Commission on China. When I worked for Congressman Tom Lantos on the House Foreign Affairs Committee, you, Congressman Smith, and Congressman Lantos worked closely on a whole range of human rights issues. The United States has been well-served by your continuing human rights efforts through the years. Thank you very much today for the opportunity to discuss the the Chinese human rights abuses of forcibly repatriating North Koreans.

**North Koreans Going to China and
Those Passing through China on the Way Elsewhere**

The flow of ethnic Koreans back and forth from what is now North Korea to adjacent border areas in Northeastern China is a centuries old phenomenon. As international boundaries are now configured, North Korea has a population of some 25 million people, essentially all of whom are ethnic Koreans. The adjacent areas of Northeastern China (the Chinese province of Jilin, and to a lesser extent the provinces of Heilongjiang and Liaoning) are primarily Han Chinese, but that area also includes a significant Korean minority population of some 2 million people.

Historically, there has been a considerable flow of ethnic Koreans back and forth between China and northern Korea. From the 1950s to the 1990s, and particularly when China was undergoing the chaos of the Cultural Revolution (1966-1976), North Korea was relatively stable and more prosperous. There was a modest flow of ethnic Koreans from China to North Korea for employment during that time. After the breakup of the Soviet Union, its assistance for North Korea was cut back, and North Korea went through serious economic difficulty, particularly in the 1990s with the North Korean famine. At that same time, post-Mao China was undertaking significant economic reforms, and the Chinese economy was flourishing. Over the last couple of decades, many North Koreans have gone to China seeking work.¹ Many have gone with the approval of the North Korean government, but others have gone without Pyongyang's sanction.

¹ See Hazel Smith, "Explaining North Korean Migration to China" including 11 translated Chinese documents on cross-border migration between China and North Korea," The Wilson Center Publication, online at <https://www.wilsoncenter.org/publication/explaining-north-korean-migration-to-china>.

That economically-driven population movement of ethnic Koreans is still going on in the border areas of China and Korea. During the time that I was Special Envoy from 2009-2017, I made a point of visiting ethnic Korean areas of Northeastern China to get a feel for what was happening in the border area. I found it very interesting that ethnic Koreans who were Chinese nationals were getting work permits for employment in *South* Korea. There were direct flights from the largest “Korean” city in China, Yantai in Shandong Province, to Seoul. That flight was packed with ethnic Koreans with Chinese nationality and passports, but who were working in South Korea.

I also saw some of this labor flow in the Chinese city of Dandong, which is located on the west side of the Yalu River, directly across from the North Korean city of Sinuiju. At the train station in Dandong rail passenger cars were loaded with travelers going to North Korea. I was there just before the Korean autumn harvest holiday of Chuseok, and more than a hundred North Korean young women were boarding the train to return to their homes in North Korea for the holiday. All were dressed in matching clothes. They were apparently working as seamstresses at a Chinese clothing factory, but they were clearly North Korean.

The point I want to make is that historically, culturally, and economically for centuries there are and have been extensive ties between ethnic Koreans who have lived in Northeastern China with Koreans living in the northern part of the Korean Peninsula. Those ties continue.

North Korean Escapees Still Go to China for Work and to Escape from North Korea

The problems we are discussing today involve North Koreans who are going to China—some with official approval of Seoul and Pyongyang and some without such approval. There are three categories of North Koreans who have gone to North Korea,

First, a significant number of North Koreans have found employment opportunities in China, and they are working there with the full knowledge and approval of the North Korean government. Pyongyang gets a rake-off of the earnings of these “official” North Korean workers in China

Second, some North Koreans seek employment in China without going through official North Korean government channels. They leave North Korea without government approval, and they work unofficially, usually in private or small-scale enterprises. These people do not generate revenue that is passed on to Pyongyang, but they do have to pay bribes to Chinese officials and sometimes to North Korean officials.

Third, other North Koreans go to Northeast China without official approval in order to escape from the repressive North Korean regime. They do not intend to remain in China, although some stay and work temporarily in China to earn cash to pay brokers who can get them out of China. They seek opportunities to live and work elsewhere. The vast majority of those who are seeking to leave North Korea and do not wish to stay in China ultimately resettle in South Korea.

For Koreans who want to leave North Korea, the easiest and safest route out of the North is through China, though this route can only be considered “easy” and “safe” relative to other more dangerous and risky escape options.

The 160 mile long Demilitarized Zone (DMZ) boundary between North and South Korea is heavily fortified. For North Korean citizens even to get near the border zone, they must have special government-issued documentation. Furthermore, getting through the heavily guarded DMZ is difficult. Tens of thousands of troops guard the border, and an estimated 2 million explosive land mines are planted on both sides in the border zone. Some 750,000 North Korean troops, about 70 percent of North Korea's total active military force, are forward deployed within 100 kilometers (63 miles) of the DMZ. Some 450,000 South Korean troops and 20,000 American troops are deployed within 100 kilometers south of the DMZ.²

Exiting North Korea through the 10-mile border with Russia is also not easy. It is in the remote northeast corner of North Korea, and Russian troops guard that border and immediately return escapees they capture to the North Korean government. Leaving by boat from the east or west coast of North Korea is difficult. Coastal areas are closely guarded, access to boats is difficult, and naval vessels patrol the sea boundaries. North Korea's 880-mile border with China includes river boundaries and some forested mountainous areas. While this is by far the most accessible escape route, it is illegal to leave North Korea without official documentation, and it is also illegal to enter China without proper documentation. This is the border that is the least dangerous to cross, and the way most North Koreans surreptitiously leave their country.

North Koreans who leave the North illegally through China usually cross Chinese territory from the Northeast border of China to the Southwest border where they are able to cross secretly into Laos, Thailand, and others countries in that area. From there they are able to find help to reach South Korea eventually or the United States and European countries. Escape is difficult and dangerous, but escapees have had some success in getting out of North Korea through China via this route.

The Disruptive Impact of COVID

Over the last three years, the COVID pandemic, has made it much more difficult for North Koreans to escape from North Korea whatever their reason for leaving. In dealing with the pandemic, countries around the world have limited travel, tightened restrictions on movement, and increased border controls. The North Korean government has done this in spades. It has significantly tightened its already strictly guarded borders to prevent the *return* of potentially infected individuals to North Korea. Although tighter border controls due to COVID are focused on returning North Koreans from China and elsewhere, the tighter border controls and the increased presence of North Korean border guards and strengthened border fences have also made it far more difficult for escapees to leave the North.

China has likewise tightened its borders because of COVID, and this has made it more difficult than in the past for North Koreans to get into China. Furthermore, to prevent internal COVID spread, the Chinese government has also made travel inside the country much more difficult and

² Jim Garamone, "Troxell: U.S., South Korean Troops on DMZ 'Ready,'" DOD News, <https://www.defense.gov/News/News-Stories/Article/Article/1358874/troxell-us-south-korean-troops-on-dmz-ready/>.

restricted than in the past. Getting from the North Korean border to the southwest border of China has become far more difficult now than it was before.

Statistics on the number of North Koreans reaching South Korea over the last two decades show a precipitous decline in escapees leaving North Korea who have been able to reach South Korea in the last few years.³ The total number of escapees arriving in South Korea since a significant refugee outflow began in the year 2000 has been about 34,000 North Koreans. The highest one-year total was 2,706 escapees in the year 2011. There was an annual average of 1,500 escapees in the years 2012 to 2016; and an annual number of 1,100 escapees in the years 2017 to 2019.

The first COVID case was diagnosed in China in November 2019. Almost immediately the Chinese and the South Korean governments tightened border controls, and the number of North Koreans reaching South Korea plummeted: in 2020 only 229 individuals reached South Korea. In 2021 the number dropped further to 63, and in 2022 it was only 67. This far in 2023 (1st quarter of the year) only 34 escapees reached South Korea.

Many more North Korean escapees go to South Korea than those going to other countries. By legislation the United States has sought to welcome North Korean escapees to our country. The number who have come, however, is modest. The largest number admitted in one year to the United States was 12—admitted in 2017 and again in 2021. North Korean refugees admitted to the U.S. number around 200 over the last two decades.⁴

About a thousand North Koreans have been admitted to European countries in the last two decades, with the largest number (some 600) going to the United Kingdom.⁵

Chinese Treatment of North Korean Escapees

Chinese government agencies carefully guard entrance to and exit from China. North Koreans who enter China illegally are apprehended and imprisoned. They are not permitted to leave China, and they are handed over to the government of North Korea.⁶ Because of COVID restrictions, however, the North Korean government has apparently accepted only a small number of its citizens who have been apprehended by Chinese authorities since 2020 when the COVID outbreak began. The Chinese have unsuccessfully sought to return these North Koreans.

³ Figures from Republic of Korea, Ministry of Unification, “Policy on North Korean Defectors,” https://www.unikorea.go.kr/eng_unikorea/relation/statistics/defectors/.

⁴ Robert R. King, “Number of North Korean Defectors Drops to Lowest Level in Two Decades,” <https://www.csis.org/analysis/number-north-korean-defectors-drops-lowest-level-two-decades>.

⁵ Eve Watling, “Inside London’s community of North Korean defectors,” *Independent*, February 13, 2020, online at <https://www.independent.co.uk/arts-entertainment/photography/north-korea-defectors-london-traces-left-behind-catherine-hyland-new-malden-a9333311.html>

⁶ Roberta Cohen, “China’s Forced Repatriation of North Korean Refugees Incurs United Nations Censure,” Brookings, 7 July 2014, online at <https://www.brookings.edu/opinions/chinas-forced-repatriation-of-north-korean-refugees-incurs-united-nations-censure/>.

In March of this year, Elizabeth Salmón, the UN Special Rapporteur on human rights in North Korea, told the UN Human Rights Council in Geneva: “Due to border closures, over a thousand North Korean escapees have been detained in China indefinitely,” and she added that forcibly repatriated individuals are at severe risk of being sent to North Korean political prison camps if they are returned to the North.⁷

Since the beginning of the COVID pandemic, however, the North Korean government has refused to accept its own citizens back when the Chinese government attempts to return them. The Chinese government appears to be holding them in detention facilities. In July 2021, Human Rights Watch suggested that some 50 refugees were repatriated to North Korea by Chinese officials.⁸ This appears to be a single instance and not the beginning of a return of all escapees who were apprehended in China. I have not identified any other escapees who were returned to North Korea since the COVID pandemic struck.

In various reports on North Korean escapees being detained in China, there has been no effort to distinguish between those seeking to leave the North and find refuge in South Korea or elsewhere and those North Koreans who were seeking economic opportunities in China.

As the U.S. Special Envoy for North Korean Human Rights, I frequently advocated with Chinese diplomats at the United Nations in New York and others at the UN Human Rights Council in Geneva, and I urged the Chinese government to allow these North Koreans to settle where they wanted. I also made official visits to China on several occasions where I met with officials of the Chinese Foreign Ministry and the Chinese Communist Party’s International Liaison Department to raise United States concerns regarding the welfare of North Korean refugees. The Chinese officials were polite, but they showed no concern for the humanitarian impact of Chinese policies regarding treatment of North Korea escapees.

The Chinese government would not discuss North Korean escapees with United Nations officials who dealt with refugee issues in China or with officials who raised these matters in Geneva and New York City. UN officials were able to deal with Chinese government officials regarding refugees from South Asia and Southeast Asia, but Chinese government officials refused to discuss North Korean refugees with UN officials.

Mr. Chairman, I very much appreciate the interest of the Congressional-Executive Commission on China in the treatment of North Korean refugees in China and the humanitarian tragedy that China’s policies are creating. We need to continue to focus attention on Chinese policies returning North Koreans to certain punishment and in far too many cases certain death. The efforts of the CECC to bring attention to this Chinese and North Korean brutality is an important effort which I hope can encourage changes in these brutal policies.

Thank you, Mr. Chairman.

⁷ “Report of the Special Rapporteur on the situation of human rights in the Democratic People’s Republic of Korea, Elizabeth Salmón,” United Nations Human Rights: Office of the High Commissioner, Document A/HRC/52/65.

⁸ “China Restarts Forced Return of Refugees to North Korea,” Human Rights Watch, July 22, 2021, online at <https://www.hrw.org/news/2021/07/22/china-restarts-forced-returns-refugees-north-korea>.