



# CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA

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## North Koreans in China: Marginalized, Exploited, and Repatriated





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# North Koreans in China: Marginalized, Exploited and Repatriated

## Introduction

2024 marked the 75th anniversary of the bilateral relationship between the People's Republic of China (PRC) and the Democratic People's Republic of Korea (DPRK). Chinese Communist Party General Secretary and President Xi Jinping and North Korean leader Kim Jong-un jointly designated it as “the year of DPRK-China friendship.” Xi Jinping also highlighted the anniversary as an opportunity to strengthen their “long-standing friendship, deepen strategic mutual trust, and enhance exchanges and cooperation.”

As is often the case with these two authoritarian regimes, these promises of friendship and cooperation have not translated into improved conditions for their people. In this context, North Koreans in China—particularly women, their families, temporary workers, and asylum seekers—remain exceptionally vulnerable.

Following the reopening of the PRC-DPRK border in August 2023, PRC authorities began repatriating North Koreans residing within its borders while accepting new workers sent by the North Korean authorities to Chinese seafood processing plants—actions that violate the PRC's obligations under international law.

The Congressional-Executive Commission on China (CECC) held hearings in 2023 to address these issues, including the imminent danger of mass repatriation prior to the border's reopening, and to urge the international community to protect vulnerable North Korean refugees and workers in China. However, despite widespread international criticism and condemnation, the PRC authorities have continued with repatriations, labeling North Korean refugees as “illegal economic migrants.”

Against this backdrop, the Commission has monitored the situation, including during a delegation trip to the Republic of Korea (South Korea) in January 2024 to investigate the significant human rights violations faced by both North Korean refugees and workers in China.

## Findings

- Chinese authorities forcibly returned as many as 600 North Korean refugees in October 2023 alone. Repatriations continued in violation of the PRC's obligations under the 1951 Refugee Convention and its 1967 Protocols. Despite the PRC's insistence that North Koreans experience no harsh treatment upon return, credible reports have emerged of abuse, torture and execution of North Koreans who were repatriated since the border reopening.
- Seven refugees who were repatriated in October 2023 died due to serious human rights abuses within detention facilities in North Korea, including at least one reported case of suicide. Additionally, 11 women from the group of North Koreans forcibly repatriated in October were either executed or sentenced to life imprisonment.
- North Korean women who had been residing in China before the pandemic found themselves increasingly marginalized, lacking access to healthcare and vaccinations during the COVID-19 crisis. Despite living in China for years, many have been identified by heightened surveillance technology and informants enticed by monetary rewards. Unable to gain consideration for either citizenship or refugee status in China, many attempt to defect to South Korea despite heightened risks.
- In some cases, PRC authorities offer monetary rewards for information about North Koreans hiding in China or those seeking to defect to South Korea. Additionally, authorities also threaten Chinese spouses of North Koreans to prevent them from attempting to reach South Korea.
- Despite widespread international condemnation, including in an October 2023 CECC hearing titled "From Bait to Plate – How Forced Labor Taints America's Seafood Supply Chain," Chinese companies continue to employ North Koreans under forced labor conditions and are reportedly increasing their numbers. This issue is notably prevalent in Liaoning province, in municipalities such as Dalian, Dandong, Huludao, Jinzhou, Panjin, and Yingkou.
- Employing North Koreans violates UN Security Council Resolution 2397, which forbids third countries from employing North Korean laborers, and UN General Assembly Resolution 78/218. The latter condemns the exploitation of North Korean workers abroad under forced labor conditions to generate "income for the (North Korean) government," and highlights that the North Korean government continues to divert resources to fund "its illicit nuclear weapons and ballistic missile programs." The import of any goods to the U.S. made with North Korean labor is also prohibited by Section 321(b) of the Countering American Adversaries Through Sanctions Act (22 USC § 9241a).



## Background

Despite international condemnation including concerns raised during a CECC hearing titled “North Korean Refugees and the Imminent Danger of Forced Repatriation from China” in June 2023<sup>1</sup> and warnings from the United Nations,<sup>2</sup> the PRC contends that North Korean refugees are illegal economic migrants and continues to repatriate them under a 1986 bilateral border agreement and a 1998 border protocol with the DPRK.<sup>3</sup>

However, those repatriated to North Korea face severe consequences, including imprisonment, torture, sexual violence, forced abortions, forced labor and even execution.<sup>4</sup> Consequently, the forced repatriation of North Korean refugees by PRC authorities contravenes China’s obligation under the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol, to which China has acceded.<sup>5</sup> According to the principle of non-refoulement, China is also obligated under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment not to forcibly repatriate individuals if there are “substantial grounds for believing that [they] would be in danger of being subjected to torture.”<sup>6</sup> The treatment of forcibly repatriated refugees by the DPRK government, therefore, renders North Koreans in China as refugees *sur place*.<sup>7</sup>

## The PRC’s Ongoing Repatriations

After nearly four years of stringent border closures during the COVID-19 pandemic,<sup>8</sup> the North Korean-Chinese border reopened in August 2023, leading to a wave of mass repatriations in October 2023.<sup>9</sup> According to the Seoul-based human rights group Transitional Justice Working Group (TJWG), as many as 600 North Korean refugees were transported from Chinese detention centers across the border into North Korea on October 9, 2023, marking the largest mass repatriation event in years.<sup>10</sup> Human Rights Watch, citing Stephen Kim, an underground missionary known for his extensive network in North Korea and China, reported that Chinese authorities transported North Koreans across five separate border crossings via vehicle convoys.<sup>11</sup> Kim also reported that some detainees managed to have Chinese guards contact their family members in South Korea to notify them of their situation.<sup>12</sup>

Among those repatriated was Kim Cheol-ok, who, at the age of 14, settled in a small town in the northeastern Chinese province of Jilin in 1998.<sup>13</sup> Having lived in China for over 20 years, Kim had built a family with a Chinese husband and a daughter.<sup>14</sup> However, she was arrested in April 2023 while attempting to leave China after recovering from COVID-19, for which she had been unable to receive any medical services due to her undocumented status.<sup>15</sup> Kim Cheol-ok’s older sister, Kim Kyu-li, who now lives in London, England, has pleaded with the international community for unified action:



“There are hundreds of North Koreans like my sister held in some prisons in that country (China). The US, the UK and other nations should come forward to ask North Korea and China to release them and tell us where they have kept our loved ones.”<sup>16</sup>

In another media interview, she also criticized the PRC’s inhumane policy against North Korean refugees like her sister, stating, “Twenty-five years she lived there, it is her home now. How could they do that?! Maybe they have a relationship with North Korea, but they shouldn’t do that. It’s not human, we are not animals. If she goes back to North Korea, [she will be treated] like flies, they kill flies.”<sup>17</sup>

The PRC authorities continued to repatriate North Korean refugees in 2024, including the mass repatriation of more than 200 refugees from a detention center in Jilin Province in April 2024.<sup>18</sup> Human Rights Watch also stated that the Chinese government forcibly returned about 60 North Korean refugees in April 2024 from China’s Jilin and Liaoning provinces, after North Korean leader Kim Jong Un’s meeting with the PRC’s third-highest official, Zhao Leji, Chairman of the National People’s Congress Standing Committee, on April 13, 2024.<sup>19</sup>

#### Women as the Most Prevalent Victims of Abuse

North Korean women seeking refuge in China are particularly vulnerable to abuse. Married North Korean women residing in China, many of whom are victims of trafficking, face challenging circumstances, particularly exacerbated since the pandemic.<sup>20</sup> They lack legal recognition and eligibility for state-run medical services, thus being excluded from access to medical care and COVID-19 vaccinations.<sup>21</sup> Testimonies, such as that of “Ms. B,” a defector interviewed by the CECC during the delegation visit to *Hanawon*(하나원), South Korea’s resettlement center for North Koreans in January 2024, highlight the dire consequences of this marginalization. Ms. B said, “When the pandemic hit, someone like me, who is not registered, could not get any vaccine. When I got Covid, I had to leave home and stay in an abandoned house in China for nearly two months by myself.”<sup>22</sup>

Experts note that North Korean women who fled during the 1990s famine and subsequently married Chinese men are now aging and lack essential medical and social support, heightening their vulnerability to health risks as they grow older.<sup>23</sup> In response to these challenges, authorities in certain Chinese regions have initiated the issuance of temporary “residence permits” to North Korean women married to Chinese men, albeit at a significant financial cost.<sup>24</sup> Though not official state-issued ID cards, these permits allow women limited employment and use of public transportation within designated regions, but bar access to medical care and travel beyond the local area.<sup>25</sup>

The CECC's interview with "Ms. B" also shed light on the tactics employed by local authorities to compel registration for these permits, accompanied by stringent government surveillance measures.<sup>26</sup> Ms. B recounted how her friend from North Korea, who had also married a Chinese man, was closely monitored with a new "wristband-like device" that she had to wear after registering her information to obtain a temporary permit.<sup>27</sup> The device was used to monitor any move beyond the designated, permitted area. Consequently, she was unable to escape China, while Ms. B successfully fled to South Korea in late 2023.<sup>28</sup> During continuous interrogations, Ms. B claimed to be from South Korea and, when questioned by Chinese authorities, sang the full South-Korean national anthem from memory.<sup>29</sup> She also resisted providing any personal information required for a temporary permit prior to her escape.<sup>30</sup>

The Database Center for North Korean Human Rights (NKDB) has also warned that the issuance of temporary residence permits allowing North Korean women married to Chinese nationals to reside in certain areas is a double-edged sword.<sup>31</sup> While the permit may allow these women to live in China with relative freedom, testimony from North Korean women who received temporary residence permits during their stay in China reveals that they had to report their residency to local public security officials once or twice a month after receiving the permits.<sup>32</sup> Furthermore, they testified that they were subjected to constant surveillance by public security officials using the personal information registered with the authorities.<sup>33</sup> In essence, the issuance of temporary residence permits by Chinese authorities to North Korean defectors carries the inherent risk of exposing their undocumented status and having their information entered into a database for potential future enforcement actions.<sup>34</sup>

Deprived of any consistent medical care while living under constant surveillance, North Korean women in China often feel compelled to escape to South Korea, although doing so has become increasingly difficult and costly due to heightened security measures and the need to employ brokers for such escapes.<sup>35</sup> An expansion of surveillance technologies in North Korea and China has made the escape harder and more costly than ever. According to the NKDB, the cost of broker fees has surged from 20 million won (US\$15,000) per person before COVID-19 to 50 million won (US\$38,000) per person as of early 2023.<sup>36</sup>

In another example of repercussion due to undocumented status, according to Lee Sang Yong, the director of research and analysis at Daily NK, in a written submission to the CECC, eight North Korean women residing in Huludao municipality, Liaoning province, lost their lives in a sudden flood that trapped them.<sup>37</sup> The flood, which occurred between August 18 and 21, 2024, claimed their lives while they were living in secret, either working in an apple orchard or staying at home. Due to their lack of legal status in China, local authorities did not include them in the official death toll, and no death reports were filed, highlighting their precarious and invisible status in China.<sup>38</sup>



## The Dire Fate of the Repatriated

Against this backdrop, analysis submitted to the CECC in March 2024 detailed that North Korean refugees repatriated in 2023 endured prolonged interrogation lasting about three months, coupled with intense forced labor.<sup>39</sup> Upon their return to North Korea, they were detained, everything they brought from China, even basic undergarments, was confiscated, and they were placed on a subsistence diet without any visitation rights.<sup>40</sup> Under coercion, many divulged critical information, including escape routes to South Korea from China and the identities of those hiding in China. Over a thousand North Koreans who had assisted in an escape from North Korea in the past were also arrested as a result of these interrogations.<sup>41</sup> Subsequent media reports highlighted further details of abuses suffered by North Koreans repatriated from China.<sup>42</sup> Detained at North Korea's State Security Department (SSD) assembly points in Sinuiju, North Pyongan Province, and Onsong, North Hamgyong Province, the repatriated refugees faced serious human rights violations, some resulting in death.<sup>43</sup> In January 2024, a woman from Anju, South Pyongan Province, reportedly took her own life after enduring torture, beatings, and sexual violence in Sinuju.<sup>44</sup> In December 2023, another woman detained at the Onsong SSD assembly point detention site attempted to escape back to China across the Tumen River but was caught, subjected to severe beatings, and left to kneel outside in freezing weather, resulting in her death.<sup>45</sup>

Additionally, 11 women who were part of the group of North Koreans that the PRC authorities forcibly repatriated in October 2023 were either executed or sentenced to life imprisonment, according to a report by Radio Free Asia (RFA).<sup>46</sup> Jang Se-yul, the head of Gyeong'eol Unification Solidarity in Seoul, told RFA that two women, identified only by their surnames—39-year-old Ri and 43-year-old Kang—were charged with human trafficking for assisting other North Koreans in their escape to South Korea and executed on August 31, 2023 following a public trial in the northeastern port city of Chongjin.<sup>47</sup> In addition, he said nine other women received life sentences on the same charges.<sup>48</sup>

Chinese authorities, however, continue to argue that North Korean refugees are “illegal economic migrants,” disputing claims of torture in North Korea.<sup>49</sup> In a response letter to the Office of the High Commissioner for Human Rights in September 2023, PRC authorities asserted that individuals are migrating from North Korea to China for economic reasons and they are not classified as refugees but rather as illegal migrants.<sup>50</sup> Furthermore, authorities reiterated denials of allegations of widespread human rights violations or torture within North Korea, despite evidence suggesting otherwise.<sup>51</sup>

## The PRC's Crackdown on Refugees

Chinese authorities have continued their efforts to prevent North Korean refugees from

reaching China and to locate those already in the country.<sup>52</sup> The October 2023 photograph below was taken by NKBD in Longjing municipality in the Yanbian Korean Autonomous Prefecture, Jilin Province, a border area with North Korea. The banner in the picture reads: “A reward of 2,000 to 20,000 yuan will be given for reporting illegal border crossers. Posted by the Border Control Division in Longjing.” This banner was displayed publicly, encouraging locals to report individuals suspected of being North Korean refugees, with promises of cash rewards ranging from approximately US\$300 to US\$3,000.<sup>53</sup>



(Reprinted courtesy of NKDB)



(Reprinted courtesy of NKDB)

The above picture also taken in 2023 by the NKDB, along the North Korea-China border area demonstrates extra measures—newly established double-layered barbed wire fences and installation of surveillance cameras—taken by the Chinese authority to prevent North Koreans from crossing the river to come to China. Previously, one could move along the embankment beside the Yalu River and catch a glimpse of North Korea. However, the Chinese authorities have completely blocked access along this path.<sup>54</sup>

Additionally, according to the written analysis<sup>55</sup> provided by Lee Sang Yong, in some

regions such as Tianjin municipality and the Inner Mongolia Autonomous Region, Chinese authorities are allegedly employing intimidation tactics directed at Chinese men married to North Korean women, saying that they too could be punished if their wives attempt to flee to South Korea.<sup>56</sup>

Authorities gather these husbands at select local police stations, where they are shown videos depicting North Korea's dire economic conditions from the late 1990s, a period marked by severe hardships known as the Arduous March (Gonan-ui Haenggun, 고난의 행군).<sup>57</sup> This practice of showing videos is part of an internal policy of the public security authorities.<sup>58</sup> During these sessions, Chinese authorities are quoted as saying, "If your North Korean wives had chosen to leave impoverished North Korea and live here (in China) comfortably, there would be no issue. However, opting to go to South Korea constitutes a betrayal towards both China and your family."<sup>59</sup> Furthermore, these Chinese authorities also warned these husbands that their wives' attempts to leave for South Korea could be potentially prosecuted under the PRC Counterespionage Law.<sup>60</sup> This appears to be an effort to instill fear that failure to properly control their North Korean wives could result in their own punishment.<sup>61</sup>

### The Exploitation of North Korean Labor

Unlike North Korean refugees who struggle in hiding,<sup>62</sup> between 20,000 to 100,000 North Korean workers are dispatched by the DPRK government to China for employment.<sup>63</sup> These workers endure various human rights violations as pursuant to protocols acknowledged by the PRC and DPRK.<sup>64</sup> In practice, North Korean workers are paid a fraction of what local Chinese employees earn and are excluded from mandatory social welfare programs, thus reducing costs for the companies.<sup>65</sup>

Despite international condemnation, highlighted by the New Yorker in February 2024<sup>66</sup> and referenced in an October 2023 CECC hearing "From Bait to Plate – How Forced Labor Taints America's Seafood Supply Chain,"<sup>67</sup> Chinese companies persist in employing North Korean exploited labor and reportedly are increasing their numbers, especially in cities such as Dalian municipality, Dandong municipality, Huludao municipality, Jinzhou municipality, Panjin municipality, and Yingkou municipality, all within Liaoning Province.<sup>68</sup>

Also alarming is the surge in the recruitment of young female North Korean workers, especially in seafood processing plants.<sup>69</sup> Factories in Liaoning Province, for instance, actively sought to hire North Korean workers making specific requests to meet labor needs.<sup>70</sup> The Daily NK also noted plans between the DPRK and the PRC to continue employing North Korean workers in Chinese seafood processing plants, including a discussion between Zhao Leji, Chairman of the Standing Committee of the National People's Congress, and North Korean leadership.<sup>71</sup>

Against this backdrop, experts caution that North Korea's export of labor, particularly to

China and Russia, provides crucial hard currency for the government, including its weapons programs, as the majority of workers' earnings are funneled back to the authoritarian regime.<sup>72</sup> The PRC's use of North Korean laborers is a clear violation of UN Security Council Resolution 2397, which prohibits third countries from employing North Korean workers, as well as UN General Assembly Resolution 78/218.<sup>73</sup> The latter condemns the exploitation of North Korean workers abroad under forced labor conditions to generate "income for the (North Korean) government" and notes that the North Korean government continues to divert resources to support "its illicit nuclear weapons and ballistic missile programs."<sup>74</sup> Furthermore, Section 321 of Title III of CAATSA (22 U.S.C. § 9241(a)) establishes a "rebuttable presumption" that any goods, wares, merchandise, or articles mined, produced, or manufactured by North Korean nationals are produced using forced labor and are therefore prohibited from importation into the U.S.<sup>75</sup>

### Growing Unrest: *Jangmadang* Generation Overseas

In China, predominantly female North Korean workers are employed across various industries such as textiles, seafood processing, and service industries, enduring severe working conditions akin to forced labor.<sup>76</sup> North Korea imposes strict restrictions on these workers, withholding up to 90% of their earnings for the government.<sup>77</sup>

In January 2024, around 2,000 workers dispatched by a trading company associated with North Korea's Ministry of Defense reportedly staged a protest at a clothing manufacturing and seafood processing facility in Helong municipality, Jilin province, demanding payment for unpaid wages.<sup>78</sup> Many of these workers, former female DRPK soldiers in their twenties,<sup>79</sup> were reportedly aggrieved by long-standing wage arrears and resorted to holding North Korean government monitoring personnel hostage, declaring their intent to strike until their wages were settled.<sup>80</sup> Eventually, the North Korean authorities addressed the workers' grievances by reimbursing their overdue wages.<sup>81</sup> However, respective authorities identified approximately 200 workers who played leading roles in the protests and repatriated about half of them to North Korea, where they would likely face severe human rights violations in labor camps.<sup>82</sup>

This large-scale protest in Jilin province drew much attention as it marked the first major demonstration by North Korean workers in China. One expert noted that many of the overseas North Korean workers are considered part of the *Jangmadang*(장마당) generation, who tend to exhibit resistance or express their grievances more openly compared to compliant older generations.<sup>83</sup> This presents a growing challenge for North Korean authorities.<sup>84</sup> However, given the age group preferred in the industry, the North Korean authorities find themselves in a situation where they cannot avoid dispatching these younger workers.<sup>85</sup> The recent resistance instigated by the *Jangmadang* generation may not be an isolated incident and warrants close monitoring.<sup>86</sup>

## Conclusion

“People come first, the state comes second, and the ruler comes last.” This principle, expressed by the esteemed Confucian philosopher Mencius (372–289 B.C.), underscores that a government should prioritize the needs of its people. Yet, the current trajectory of the PRC stands in stark opposition to this ideal. The PRC government’s disregard for its citizens’ rights extends not only to the widespread human rights violations faced by its own people but also to the North Korean refugees who seek sanctuary in China to escape the extremely brutal government in their homeland.

Following the mass repatriation of North Korean refugees in October 2023, the PRC and DPRK publicly pledged to enhance their cooperation as they marked the 75th anniversary of their diplomatic ties in 2024. This growing cooperation now seemingly involves PRC authorities increasingly detaining North Korean refugees and expanding the number of North Korean workers under conditions resembling forced labor—an egregious violation of international law.

The PRC government’s responsibility in this matter is more pronounced than ever. Arguably, no other nation wields as much influence over North Korea as China,<sup>87</sup> which has long provided critical economic support and political protection to the Kim dynasty—Kim Il Sung, Kim Jong Il, and Kim Jong Un—while turning a blind eye to the severe human rights abuses occurring next door.

The PRC government should leverage its significant influence to press the North Korean government to halt its atrocities. In addition, Chinese authorities should grant legal status to North Korean women and men who marry or have children with Chinese citizens and need to ensure that children born of such marriages are granted resident status and access to basic rights in accordance with Chinese law and international standards. The PRC also needs to ensure that North Korean women and girls who have become victims of trafficking are not penalized for breaking immigration laws. Furthermore, the PRC authorities need to grant unrestricted access for the United Nations High Commissioner for Refugees and relevant humanitarian organizations to North Korean trafficking victims in China. Forcibly returning North Korean refugees and exploiting laborers sent by an authoritarian regime is a clear violation of the principle of non-refoulement and international law, deepening China’s responsibility in these human rights violations.

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<sup>1</sup> *North Korean Refugees and the Imminent Danger of Forced Repatriation from China, Hearing of the Congressional-Executive Commission on China*, 118th Cong. (2023).

<sup>2</sup> Office of the U.N. High Commissioner for Human Rights, “China Must Not Forcibly Repatriate North Korean Escapees: UN Experts,” October 17, 2023; James Keaten, “UN Affirms Concern Over Forced Repatriation of

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North Koreans Following Criticism From Rights Groups,” *Associated Press*, August 12, 2023.

<sup>3</sup> Democratic People’s Republic of Korea Ministry of State Security and People’s Republic of China Ministry of Public Security, *Mutual Cooperation Protocol for the Work of Maintaining National Security and Social Order in the Border Areas*, signed August 12, 1986, reprinted in North Korea Freedom Coalition, arts. 4, 9; Democratic People’s Republic of Korea Ministry of State Security and People’s Republic of China Ministry of Public Security,

中华人民共和国公安部朝鲜民主主义人民共和国国家保卫部关于在边境地区维护国家安全和社会秩序的工作中相互合作的议定书 [*Mutual Cooperation Protocol for the Work of Maintaining National Security and Social Order in the Border Areas*], signed July 8, 1998, effective August 28, 1998, arts. 4, 9.

<sup>4</sup> Office of the U.N. High Commissioner for Human Rights, Report of the Special Rapporteur on the Situation of Human Rights in the Democratic People’s Republic of Korea, Elizabeth Salmón, A/HRC/55/63, March 26, 2024, para. 7; Frances Mao, “North Koreans Deported from Chinese Jails Face Torture, Activists Warn,” *BBC*, December 7, 2023; *North Korean Refugees and the Imminent Danger of Forced Repatriation from China, Hearing of the Congressional-Executive Commission on China*, 118th Cong. (2023) (testimonies of Joanna Hosaniak, Deputy Director General, Citizens’ Alliance for North Korean Human Rights; Jung Hoon Lee, Dean, Graduate School of International Studies, Yonsei University and Former Ambassador-at-Large for North Korean Human Rights, Ministry of Foreign Affairs, Republic of Korea; and Suzanne Scholte, Chair, North Korea Freedom Coalition); Office of the U.N. High Commissioner for Human Rights, “‘I Still Feel the Pain . . .’ Human Rights Violations against Women Detained in the Democratic People’s Republic of Korea,” July 2020, paras. 23, 65, 67, 80; Roberta Cohen, “Legal Grounds for Protection of North Korean Refugees,” Brookings Institution, September 13, 2010; U.N. High Commissioner for Refugees, “Refugee Protection and International Migration,” January 17, 2007, paras. 20–21; U.N. General Assembly, Report of the Commission of Inquiry on Human Rights in the Democratic People’s Republic of Korea, A/HRC/25/63, February 7, 2014, paras 42, 43, 44.

<sup>5</sup> Convention Relating to the Status of Refugees, adopted by the UN Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons on July 28, 1951, entry into force April 22, 1954, arts. 1(A)(2), 33(1). Article 1 of the 1951 Convention, as amended by the 1967 Protocol, defines a refugee as someone who, “owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country . . .” Article 33 of the 1951 Convention mandates that, “No Contracting State shall expel or return (‘refouler’) a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion.” United Nations Treaty Collection, Chapter V, Refugees and Stateless Persons, Convention Relating to the Status of Refugees, accessed April 1, 2021. China acceded to the Convention Relating to the Status of Refugees on September 24, 1982. Protocol Relating to the Status of Refugees, adopted by UN General Assembly resolution A/RES/2198 of December 16, 1966, entry into force October 4, 1967, art. 1; United Nations Treaty Collection, Chapter V, Refugees and Stateless Persons, Protocol Relating to the Status of Refugees, accessed April 1, 2021. China acceded to the Protocol Relating to the Status of Refugees on September 24, 1982.

<sup>6</sup> Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by U.N. General Assembly resolution 39/46 of December 10, 1984, entry into force June 26, 1987, art. 3(1).

<sup>7</sup> Lina Yoon, Human Rights Watch, “China Forcibly Returns More than 500 to North Korea,” October 12, 2023; U.N. High Commissioner for Refugees, “Refugee Protection and International Migration,” January 17, 2007, paras. 20–21.

<sup>8</sup> Ng Han Guan, “North Korea Appears to be Cracking Open Its Sealed Border with Dispatch of Sports Delegation,” *Associated Press*, August 18, 2023.

<sup>9</sup> Hyonhee Shin, “Up to 600 North Korean Defectors Deported by China ‘Vanish’ - Rights Group,” *Reuters*, December 7, 2023.

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- <sup>10</sup> Hyonhee Shin, “Up to 600 North Korean Defectors Deported by China ‘Vanish’ - Rights Group,” *Reuters*, December 7, 2023.
- <sup>11</sup> Lina Yoon, Human Rights Watch, “China Forcibly Returns More than 500 to North Korea,” October 12, 2023.
- <sup>12</sup> Lina Yoon, Human Rights Watch, “China Forcibly Returns More than 500 to North Korea,” October 12, 2023.
- <sup>13</sup> Jung Min-ho, “Mass Deportations of North Koreans Cause Tragic Family Separation,” *Korea Times*, October 20, 2023.
- <sup>14</sup> Jung Min-ho, “Mass Deportations of North Koreans Cause Tragic Family Separation,” *Korea Times*, October 20, 2023.
- <sup>15</sup> Ifang Bremer, Joon Ha Park, “‘I Can’t Lose Her Too’: Family Fears for Loved One Forcibly Sent to North Korea,” *NK News*, October 31, 2023.
- <sup>16</sup> Arpan Rai, “The Kim Regime Drove Two North Korean Sisters Apart. One Might Now Have Disappeared for Good,” *Independent*, December 7, 2023; Nina Werkhäuser, Esther Felden, “In North Korea, Torture Awaits Those Deported From China,” *Deutsche Welle*, December 20, 2023.
- <sup>17</sup> Helen-Ann Smith, ‘A Lot of Punishment, No Food, Hard Work’: North Korean Defector’s Fears for Sister Who Will ‘Die In Jail,’” *Sky News*, January 30, 2024.
- <sup>18</sup> Yang Ji-ho, “*Jung, talbukmin 200yeomyeong gangjebuksong... banmyeonman-e daegyumo songhwan jaegae*” [China forcibly repatriates over 200 North Korean defectors ... Large-scale repatriations resume after six months], *Chosun Ilbo*, May 2, 2024; Jung Younggyu, “*Jung, talbugmin 61myeong gangjebuksong...neombeo3 jaoleoji, gimjeong-eun-e seonmul?*” [China forcibly repatriates 61 North Korean defectors to North Korea... Number 3 Zhao Leji, a gift to Kim Jong-un?], *JoongAng Ilbo*, May 2, 2024; Lina Yoon, Human Rights Watch, “China Forcibly Returns 60 Refugees to North Korea,” May 8, 2024.
- <sup>19</sup> Lina Yoon, Human Rights Watch, “China Forcibly Returns 60 Refugees to North Korea,” May 8, 2024; It is worth monitoring whether closer DPRK-Russia ties, which have drawn the PRC’s consternation, might lead to a slowdown or moratorium on forced repatriation to North Korea. For more information, see Laurie Chen, Josh Smith, “China Keeps Its Distance as Russia and North Korea Deepen Ties,” *Reuters*, June 19, 2024.
- <sup>20</sup> International Federation for Human Rights and Database Center for North Korean Human Rights, “Joint Submission for the Committee on the Elimination of Discrimination against Women (CEDAW) 85th Session,” April 11, 2023; Lee Chae Un, “North Korean Defectors in China Can’t Get COVID-19 Vaccines, Treatments,” *Diplomat*, February 3, 2023; Jeong Tae Joo, “Many Female N. Korean Defectors in China Unable to Receive COVID-19 Shots,” *Daily NK*, September 23, 2021.
- <sup>21</sup> Lee Chae Un, “North Korean Defectors in China Can’t Get COVID-19 Vaccines, Treatments,” *Diplomat*, February 3, 2023; Jeong Tae Joo, “Many Female N. Korean Defectors in China Unable to Receive COVID-19 Shots,” *Daily NK*, September 23, 2021.
- <sup>22</sup> On-site interview with “Ms. B” at Hanawon on January 17, 2024. The interview was conducted during the CECC delegation’s visit to the facility in Anseong of Gyeonggi Province. Hanawon is a South Korean government resettlement facility where all North Koreans must stay upon their arrival for 12 weeks before entering into South Korean society. Hanawon is funded by South Korea’s Ministry of Unification. Lee Chae Un, “North Korean Defectors in China Can’t Get COVID-19 Vaccines, Treatments,” *Diplomat*, February 3, 2023.
- <sup>23</sup> Interview with Dr. Ethan Hee-Seok Shin, Legal Analyst, Transitional Justice Working Group, on file with CECC.
- <sup>24</sup> Jessie Yeung, Yoonjung Seo, “She Fled North Korea but was Sold to a Man in China. Her Second Escape Came Nearly 20 Years Later,” *CNN*, March 8, 2024.
- <sup>25</sup> Jessie Yeung, Yoonjung Seo, “She Fled North Korea but was Sold to a Man in China. Her Second Escape



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Came Nearly 20 Years Later,” *CNN*, March 8, 2024.

<sup>26</sup> On-site interview with “Ms. B” at Hanawon on January 17, 2024. The interview was conducted during the CECC delegation’s visit to the facility in Anseong of Gyeonggi Province. Hanawon is a South Korean government resettlement facility where all North Koreans must stay upon their arrival for 12 weeks before entering into South Korean society. Hanawon is funded by Korea’s Ministry of Unification of South Korea.

<sup>27</sup> For more information, see Ju-min Park, Eduardo Baptista, “‘Fishing Net’: Police Quotas, Surveillance Trap North Koreans in China,” *Reuters*, September 25, 2024.

<sup>28</sup> On-site interview with “Ms. B” at Hanawon on January 17, 2024.

<sup>29</sup> On-site interview with “Ms. B” at Hanawon on January 17, 2024.

<sup>30</sup> On-site interview with “Ms. B” at Hanawon on January 17, 2024.

<sup>31</sup> Seo Bo-bae, “*Buk-Jung gangje songhwan*” [North Korea-China Forceful Repatriation], *NKDB Issue Brief 2*, November 2023, 9.

<sup>32</sup> Seo Bo-bae, “*Buk-Jung gangje songhwan*” [North Korea-China Forceful Repatriation], *NKDB Issue Brief 2*, November 2023, 9.

<sup>33</sup> Seo Bo-bae, “*Buk-Jung gangje songhwan*” [North Korea-China Forceful Repatriation], *NKDB Issue Brief 2*, November 2023, 9.

<sup>34</sup> Seo Bo-bae, “*Buk-Jung gangje songhwan*” [North Korea-China Forceful Repatriation], *NKDB Issue Brief 2*, November 2023, 9.

<sup>35</sup> Jessie Yeung, Yoonjung Seo, “She Fled North Korea but was Sold to a Man in China. Her Second Escape Came Nearly 20 Years Later,” *CNN*, March 8, 2024.

<sup>36</sup> *North Korean Refugees in Imminent Danger of Forced Repatriation from China, Hearing of the Congressional-Executive Commission on China*, 118th Cong. (2023) (testimony of Hanna Song, Director of International Cooperation, Database Center for North Korean Human Rights).

<sup>37</sup> Lee Sang Yong, director of research and analysis at Daily NK, written submission to CECC, August 2024; DailyNK provides news about North Korea from a wide range of sources based inside and outside the country. For more information, see: <https://www.dailynk.com/english/faq/>. Lee Sang Yong, “North Korean Workers Abroad Can’t Escape the Regime’s Human Rights Abuses,” *Diplomat*, March 13, 2024; Jean Mackenzie, Hosu Lee et al., “North Korea: The Mystery of its Covid Outbreak,” *BBC*, June 1, 2022; “Heavy Rainstorms Killed 11 People and Left 14 Others Missing in Northeastern Chinese City,” *Associated Press*, August 24, 2024.

<sup>38</sup> Lee Sang Yong, director of research and analysis at Daily NK, written submission to CECC, August 2024; “Heavy Rainstorms Killed 11 People and Left 14 Others Missing in Northeastern Chinese City,” *Associated Press*, August 24, 2024.

<sup>39</sup> Lee Sang Yong, the director of research and analysis at Daily NK, written submission to CECC, March 2024.

<sup>40</sup> Lee Sang Yong, the director of research and analysis at Daily NK, written submission to CECC, March 2024.

<sup>41</sup> Lee Sang Yong, the director of research and analysis at Daily NK, written submission to CECC, March 2024.

<sup>42</sup> Jang Seul-gi, “[*Gangje buk-song geu hu ①*] daebubun gyowaso-haeng...ilbuneun jip-gyeolsoseo samang” [After the forced repatriation to North Korea, most of them were sent to reeducation camps...Some died in holding centers], *Daily NK*, April 15, 2024.

<sup>43</sup> Jang Seul-gi, “[*Gangje buk-song geu hu ①*] daebubun gyowaso-haeng...ilbuneun jip-gyeolsoseo samang” [After the forced repatriation to North Korea, most of them were sent to reeducation camps...Some died in holding

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<sup>44</sup> Jang Seul-gi, “[*Gangje buk-song geu hu ①*] daebubun gyowaso-haeng...ilbuneun jip-gyeolsoseo samang” [After the forced repatriation to North Korea, most of them were sent to reeducation camps...Some died in holding centers], *Daily NK*, April 15, 2024.

<sup>45</sup> Jang Seul-gi, “[*Gangje buk-song geu hu ①*] daebubun gyowaso-haeng...ilbuneun jip-gyeolsoseo samang” [After the forced repatriation to North Korea, most of them were sent to reeducation camps...Some died in holding centers], *Daily NK*, April 15, 2024.

<sup>46</sup> Jamin Anderson, “North Korea Executes 2 Women Who Fled and Were Forcibly Repatriated from China,” *Radio Free Asia*, September 19, 2024.

<sup>47</sup> Jamin Anderson, “North Korea Executes 2 Women Who Fled and Were Forcibly Repatriated from China,” *Radio Free Asia*, September 19, 2024.

<sup>48</sup> Jamin Anderson, “North Korea Executes 2 Women Who Fled and Were Forcibly Repatriated from China,” *Radio Free Asia*, September 19, 2024.

<sup>49</sup> Permanent Mission of the People’s Republic of China (CHN/HR/2023/75), Reply to the United Nations Human Rights Council (AL CHN 9.2023).

<sup>50</sup> Permanent Mission of the People’s Republic of China (CHN/HR/2023/75), Reply to the United Nations Human Rights Council (AL CHN 9.2023).

<sup>51</sup> U.N. General Assembly, Report of the Special Rapporteur on the Situation of Human Rights in the Democratic People’s Republic of Korea, A/79/235, September 13, 2024; U.N. Office of the High Commissioner for Human Rights, “China Must Not Forcibly Repatriate North Korean Escapees: UN Experts, October 17, 2023; Roberta Cohen, “Legal Grounds for Protection of North Korean Refugees,” Brookings Institution, September 13, 2010.

<sup>52</sup> *North Korean Refugees and the Imminent Danger of Forced Repatriation from China, Hearing of the Congressional-Executive Commission on China*, 118th Cong. (2023) (written statement of Robert R. King, Former Special Envoy for North Korean Human Rights Issues); Lee Chae-Eun, “Two N. Korean Defectors in China Arrested for Talking about Going to S. Korea,” *Daily NK*, February 8, 2024; Josh Smith, Joyce Lee, “Chinese Raids Hit North Korean Defectors’ ‘Underground Railroad’,” *Reuters*, June 17, 2019.

<sup>53</sup> Seo Bo-bae, “*Buk-Jung gangje songhwan*” [North Korea-China Forceful Repatriation], *NKDB Issue Brief 2*, November 2023, 8.

<sup>54</sup> Seo Bo-bae, “*Buk-Jung gangje songhwan*” [North Korea-China Forceful Repatriation], *NKDB Issue Brief 2*, November 2023.

<sup>55</sup> Lee Sang Yong, director of research and analysis at Daily NK, written submission to CECC, February 2024.

<sup>56</sup> Lee Sang Yong, director of research and analysis at Daily NK, written submission to CECC, February 2024.

<sup>57</sup> A link was provided via Daily NK’s source in China claiming that a similar video was shown within China, with a video published on a Chinese website.

<sup>58</sup> Lee Sang Yong, director of research and analysis at Daily NK, written submission to CECC, February 2024.

<sup>59</sup> Lee Sang Yong, director of research and analysis at Daily NK, written submission to CECC, February 2024.

<sup>60</sup> Lee Sang Yong, director of research and analysis at Daily NK, written submission to CECC, February 2024.

<sup>61</sup> Lee Sang Yong, director of research and analysis at Daily NK, written submission to CECC, February 2024.

<sup>62</sup> Ju-min Park, “Signs of Rare Unrest among North Korean Workers in China, Researchers Say,” *Reuters*, 15

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February 8, 2024.

<sup>63</sup> Ju-min Park, “Signs of Rare Unrest among North Korean Workers in China, Researchers Say,” *Reuters*, February 8, 2024.

<sup>64</sup> Ian Urbina, “Inside North Korea’s Forced Labor Program,” *New Yorker*, February 25, 2024.

<sup>65</sup> Ian Urbina, “Inside North Korea’s Forced-Labor Program,” *New Yorker*, February 25, 2024.

<sup>66</sup> A recent investigation conducted by The New Yorker unveiled troubling findings, as 17 out of 20 North Korean women interviewed in China reported ongoing sexual abuse and assault in their workplaces. Despite the U.S. law, the Countering America’s Adversaries Through Sanctions Act (CAATSA), which presumes work by North Koreans to be forced labor unless proven otherwise, the investigative report also exposed the persistent utilization of North Korean workers in Chinese seafood processing plants. Notably, some of these plants export their products to the U.S. For more information, see Ian Urbina, “Inside North Korea’s Forced-Labor Program,” *New Yorker*, February 25, 2024.

<sup>67</sup> *From Bait to Plate—How Forced Labor in China Taints America’s Seafood Supply Chain, Hearing of the Congressional-Executive Commission on China*, 118th Cong (2023).

<sup>68</sup> Jung TaeJu, “*Jung susanmul gongjang-ui ganggong? Buk 20dae yeoseong nodongja daego goyong*” [Strong pushback from Chinese seafood processing plants? They hire many North Korean female workers in their 20s], *DailyNK*, June 4, 2024.

<sup>69</sup> Jung TaeJu, “*Jung susanmul gongjang-ui ganggong? Buk 20dae yeoseong nodongja daego goyong*” [Strong pushback from Chinese seafood processing plants? They hire many North Korean female workers in their 20s], *DailyNK*, June 4, 2024.

<sup>70</sup> Lee Sang Yong, “*Jung susanmul gongjang Buk ‘no-ye nodong’ jijeoge gyeongjejeok tagyeok choesohwa sahwal*” [China’s seafood factory early seeks to minimize economic damage in response to North Korea’s ‘slave labor’ allegations], *Daily NK*, April 29, 2024.

<sup>71</sup> Lee Sang Yong, “*Jung susanmul gongjang Buk ‘no-ye nodong’ jijeoge gyeongjejeok tagyeok choesohwa sahwal*” [China’s seafood factory early seeks to minimize economic damage in response to North Korea’s ‘slave labor’ allegations], *Daily NK*, April 29, 2024.

<sup>72</sup> Brian Todd, Dugald McConnell, Joshua Berlinger, “North Korean Money Man Reveals Smuggling Operations,” *CNN*, August 3, 2017; Evelyn Cheng, “Five Ways North Korea Gets Money to Build Nuclear Weapons,” *CNBC*, April 18, 2017; Letter from Christopher H. Smith, Jeff Merkley to Secretary of State Antony Blinken and Department of Homeland Security Secretary Alejandro Mayorkas, March 11, 2024; Ian Urbina, “Inside North Korea’s Forced Labor Program,” *New Yorker*, February 25, 2024.

<sup>73</sup> U.N. General Assembly, Resolution on Situation of Human Rights in the Democratic People’s Republic of Korea, 78/218, December 19, 2023; Letter from Christopher H. Smith, Jeff Merkley to Secretary of State Antony Blinken and Department of Homeland Security Secretary Alejandro Mayorkas, March 11, 2024.

<sup>74</sup> U.N. General Assembly, Resolution on Situation of Human Rights in the Democratic People’s Republic of Korea, 78/218, December 19, 2023; Letter from Christopher H. Smith, Jeff Merkley to Secretary of State Antony Blinken and Department of Homeland Security Secretary Alejandro Mayorkas, March 11, 2024.

<sup>75</sup> Countering America’s Adversaries Through Sanctions Act, 22 U.S.C. § 9401. Additionally, evidence continues to emerge of the PRC assisting North Korea in circumventing international sanctions since the border reopening in August 2023, particularly through the sale of false eyelashes and wigs labeled “Made in China.” For more information, see Jun-min Park, Eduardo Baptista, “How North Korean Eyelashes Make Their Way to West as ‘Made in China,’” *Reuters*, February 3, 2023; Jiha Ham, “North Korea Increases Exports of Wigs and Fake Eyelashes, Raising Alarms in US,” *Voice of America*, June 14, 2023.

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<sup>76</sup> Office to Monitor and Combat Trafficking in Persons, U.S. Department of State, “2023 Trafficking in Persons Report: North Korea,” June 15, 2023; Ian Urbina, “Inside North Korea’s Forced Labor Program,” *New Yorker*, February 25, 2024.

<sup>77</sup> Office to Monitor and Combat Trafficking in Persons, U.S. Department of State, “2023 Trafficking in Persons Report: North Korea,” June 15, 2023; According to Daily NK, the North Korean authorities also issued an order in August 2024 for all North Korean workers working in the apparel, seafood, and electronics processing industries in China to remit donations up to 80% of their salary to support flood recovery efforts in North Korea. For more information, see Jang Seul-gi, “North Korean Workers in China Have Their Wages ‘Robbed’ in the Name of Flood Recovery,” *Daily NK*, August 29, 2024.

<sup>78</sup> Junichi Toyoura, “North Korean Workers in China Riot over Unpaid Wages; 2,000 Occupy Factory, Kill Plant Manager,” *Japan News by the Yomiuri Shinbun*, February 17, 2024.

<sup>79</sup> North Korea made military service mandatory for women between the ages of 17 and 20. For more information, see Julia Campbell, “The Horrors of Being a Woman in the North Korean Military,” *NK Hidden Gulag Blog*, Human Rights in North Korea, July 14, 2022.

<sup>80</sup> Junichi Toyoura, “North Korean Workers in China Riot over Unpaid Wages; 2,000 Occupy Factory, Kill Plant Manager,” *Japan News by the Yomiuri Shinbun*, February 17, 2024.

<sup>81</sup> Junichi Toyoura, “North Korean Workers in China Riot over Unpaid Wages; 2,000 Occupy Factory, Kill Plant Manager,” *Japan News by the Yomiuri Shinbun*, February 17, 2024.

<sup>82</sup> Junichi Toyoura, “North Korean Workers in China Riot over Unpaid Wages; 2,000 Occupy Factory, Kill Plant Manager,” *Japan News by the Yomiuri Shinbun*, February 17, 2024.

<sup>83</sup> Jin Min Jae, “*Buk MZ sedae haeoe nodongja jipdan haengdong-e danguk ‘golmeori’*” [Authorities ‘worried’ over collective action by North Korean MZ generation overseas workers], *Radio Free Asia*, April 1, 2024.

<sup>84</sup> Jin Min Jae, “*Buk MZ sedae haeoe nodongja jipdan haengdong-e danguk ‘golmeori’*” [Authorities ‘worried’ over collective action by North Korean MZ generation overseas workers], *Radio Free Asia*, April 1, 2024; The *Jangmadang* Generation in their 20s and 30s refers to a demographic cohort in North Korea that has grown up in the era of *Jangmadangs*, or markets. These markets emerged in the 1990s during a period of economic crisis in North Korea, when the state’s centralized economy faltered. The *Jangmadang* Generation has been exposed to market forces, information from the outside world, and a degree of economic independence that previous generations did not experience to the same extent. They are often seen as more pragmatic and entrepreneurial, with a different worldview shaped by their experiences within the informal economy. This generation’s attitudes and behaviors are thought to be different from those of older North Koreans who were raised under more strict state control and centralized economic planning. For more information, see “*Jangmadang* Generation in N. Korea,” *KBS World*, August 10, 2022.

<sup>85</sup> Jin Min Jae, “*Buk MZ sedae haeoe nodongja jipdan haengdong-e danguk ‘golmeori’*” [Authorities ‘worried’ over collective action by North Korean MZ generation overseas workers], *Radio Free Asia*, April 1, 2024.

<sup>86</sup> Jin Min Jae, “*Buk MZ sedae haeoe nodongja jipdan haengdong-e danguk ‘golmeori’*” [Authorities ‘worried’ over collective action by North Korean MZ generation overseas workers], *Radio Free Asia*, April 1, 2024.

<sup>87</sup> It is worth monitoring whether closer DPRK-Russia ties, which have drawn the PRC’s consternation, might lead to a slowdown or moratorium on forced repatriation to North Korea. Laurie Chen, Josh Smith, “China Keeps its Distance as Russia and North Korea Deepen Ties,” *Reuters*, June 19, 2024.