

NORTH KOREAN REFUGEES IN CHINA

Findings

- During the Commission’s 2019 reporting year, the Chinese government continued to detain North Korean refugees in China and repatriate them to the Democratic People’s Republic of Korea (DPRK), where they face severe punishments, including torture, imprisonment, forced labor, and even execution. The repatriation of North Korean refugees violates China’s obligations under international human rights and refugee law and may amount to “aiding and abetting crimes against humanity.”
- The majority of North Korean refugees escape to South Korea via China and Southeast Asian countries. This past year, Chinese and North Korean authorities reportedly imposed stricter border controls to deter North Korean refugees from escaping the DPRK. The South Korean government reported that about 1,137 North Korean refugees escaped to South Korea in 2018, compared to the peak of 2,914 refugees in 2009.
- South Korean missionaries and organizations have played a crucial role in assisting and facilitating the movement of North Korean refugees in China. Chinese authorities’ crackdown on and expulsions of South Korean missionaries in recent years have undermined refugee rescue work carried out by the missionaries.
- The majority of North Korean refugees leaving the DPRK are women. The Chinese government’s refusal to recognize these women as refugees denies them legal protection and may encourage the trafficking of North Korean women and girls within China. The UK-based Korea Future Initiative estimated that about 60 percent of all female North Korean refugees in China are trafficked for the purpose of sexual exploitation.
- Many children born to Chinese fathers and North Korean mothers remain deprived of basic rights to education and other public services, owing to their lack of legal resident status in China, which constitutes violations of China’s PRC Nationality Law and the Convention on the Rights of the Child.

Recommendations

Members of the U.S. Congress and Administration officials are encouraged to:

- Urge the Chinese government to recognize North Koreans in China as refugees, especially as refugees *sur place* who fear persecution upon return to their country of origin, regardless of their reason for leaving the DPRK; immediately halt the repatriation of North Korean refugees; adopt asylum or refugee legislation and incorporate the principle of non-refoulement into domestic legislation; establish a responsible government institution and mechanism to determine asylee or refugee status for North Koreans seeking international protection in China, in cooperation with the UN High Commissioner for Ref-

North Korean Refugees in China

ugees; and allow North Korean refugees safe passage to another country, including to the Republic of Korea.

- Consider using the suite of sanctions that are available, where appropriate, against Chinese government agencies and individuals involved in the repatriation of North Korean refugees; and press for increased international monitoring of and accountability for the Chinese government's treatment of refugees.

- Urge Chinese authorities to recognize the legal status of North Korean women who marry or have children with Chinese citizens, and ensure that all such children are granted resident status and access to education and other public services in accordance with Chinese law and international standards.

- Appoint and confirm the U.S. Special Envoy on North Korean Human Rights Issues, and encourage the Special Envoy to work with South Korean counterparts to coordinate efforts related to humanitarian assistance and human rights promotion for North Korean refugees in China, in accordance with the North Korean Human Rights Reauthorization Act (Public Law No. 115-198).

NORTH KOREAN REFUGEES IN CHINA

Introduction

During the Commission's 2019 reporting year, the Chinese government's policy to detain North Korean refugees and repatriate them to the Democratic People's Republic of Korea (DPRK) remained in place, despite substantial evidence that repatriated persons face torture, imprisonment, forced labor, execution, and other inhuman treatment.¹ The North Korean government's imprisonment and torture of repatriated North Koreans render North Koreans in China refugees *sur place* who fear persecution upon return to their country of origin, regardless of their reason for leaving the DPRK.² The Chinese government, however, regards North Korean refugees in China as illegal economic migrants³ and maintains a policy of forcible repatriation based on a 1998 border protocol with the DPRK.⁴ China's repatriation of North Korean refugees contravenes its international obligations under the 1951 UN Convention Relating to the Status of Refugees and its 1967 Protocol, to which China has acceded.⁵ China is also obligated under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment to refrain from repatriating persons if there are "substantial grounds for believing that [they] would be in danger of being subjected to torture."⁶

Border Conditions and Repatriation of Refugees

The majority of North Korean refugees escape to South Korea via China and Southeast Asian countries,⁷ and heightened security measures along the China-North Korea border may have contributed to a trend of significant decline in the number of North Korean refugees that reach South Korea.⁸ This past year, Chinese and North Korean authorities reportedly imposed stricter border controls to deter North Korean refugees from escaping the DPRK.⁹ Chinese authorities also appear to be conducting regular raids on safe houses and detaining higher numbers of North Korean refugees than in the past.¹⁰ Reuters reported in June 2019 that Chinese authorities detained "at least 30" North Koreans in China since mid-April.¹¹ A rights advocate, however, separately estimated 20 to 30 detentions and as many as 7 raids every month.¹² The South Korean Ministry of Unification reported that about 1,137 North Korean refugees reached South Korea in 2018, compared to the peak of 2,914 refugees in 2009.¹³

Throughout the 2019 reporting year, Chinese authorities reportedly detained and repatriated North Korean refugees to the DPRK. Representative cases included the following:

- **November 2018.** Chinese authorities reportedly detained two North Korean refugees in Dandong municipality, Liaoning province, and repatriated them to the DPRK.¹⁴ In a separate incident, Chinese authorities detained another North Korean refugee at an unknown location near the China-North Korea border and later repatriated the refugee.¹⁵
- According to a **December 2018** Daily NK report, Chinese authorities repatriated an elderly North Korean refugee after he had been involved in a traffic accident at an unknown loca-

North Korean Refugees in China

tion in China.¹⁶ The refugee reportedly died a week after his repatriation to the DPRK, due to a lack of medical treatment.¹⁷

- **February 2019.** China's Ministry of State Security officials reportedly detained a North Korean refugee family of three in Shenyang municipality, Liaoning.¹⁸ The Daily NK warned that if repatriated, the family could face severe punishment, because they escaped North Korea during "a very politically sensitive time."¹⁹

- **April 2019.** According to South Korean media reports, in early April, Vietnamese authorities reportedly detained three North Korean refugees near the China-Vietnam border and later transferred them to Chinese authorities.²⁰ In late April, Chinese authorities detained a group of seven North Korean refugees—including a minor and her uncle—at an unknown location in Shenyang, causing concerns that they too may be repatriated.²¹

- **May 2019.** The Daily NK reported the detentions of 14 North Korean defectors in China: on May 15, two detentions in Shenyang; on May 21, four detentions (including two teenagers) in Nanning municipality, Guangxi Zhuang Autonomous Region, two more detentions in Shenyang, and two detentions in Tonghua municipality, Jilin province; and on May 25, four more detentions in Shenyang.²²

- **July 2019.** Radio Free Asia cited South Korean sources who claimed that Chinese authorities detained 60 North Koreans and had already begun repatriating some of them to the DPRK.²³

As of August 2019, the Commission had not observed any new developments in these cases.

In 2014, the UN Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea stated that China's forcible repatriation of North Korean refugees may amount to "aiding and abetting crimes against humanity."²⁴ During this reporting year, UN officials again voiced their concerns and urged Chinese authorities on a number of occasions to stop the repatriation of North Korean refugees.²⁵

Crackdown on Foreign Missionaries

During this reporting year, the Commission continued to observe reports of Chinese authorities cracking down on organizations and individuals, particularly South Korean Christian missionaries and churches, that have played a crucial role in assisting and facilitating the movement of North Korean refugees outside the DPRK.²⁶ As documented in the Commission's 2017 and 2018 annual reports, in recent years Chinese authorities expelled at least several hundred South Korean missionaries, many of whom assisted North Korean refugees in fleeing to South Korea and other countries.²⁷ One international advocacy group stated that the recent wave of expulsions of foreign missionaries is one of the largest since 1954, a development that has undermined refugee rescue work carried out by the missionaries.²⁸

North Korean Refugees in China

Trafficking of North Korean Women

North Korean women who enter China illegally remain particularly vulnerable to human trafficking. The demand for North Korean women has been linked to a sex ratio imbalance in China exacerbated by the Chinese government's population planning policies.²⁹ Sources indicate that the majority of North Korean refugees leaving the DPRK are women,³⁰ many of whom are trafficked for force or deception from the DPRK into or within China for the purposes of forced marriage and commercial sexual exploitation.³¹

The Chinese government's refusal to recognize these women as refugees denies them legal protection and may encourage the trafficking of North Korean women and girls within China.³² According to a May 2019 report published by U.K.-based Korea Future Initiative, an estimated 60 percent of all female North Korean refugees in China are trafficked for the purpose of sexual exploitation.³³ Roughly 50 percent of those trafficked women "are forced into prostitution" and 15 percent are "pressed into cybersex."³⁴ This past year, international news media reported several cases of traffickers confining North Korean women and girls at unknown locations in China and forcing them to work in "cybersex dens."³⁵ China is obligated to take measures to safeguard trafficking victims and suppress all forms of trafficking of women under the Convention on the Elimination of All Forms of Discrimination against Women and the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.³⁶ [For more information on the sex ratio imbalance and the trafficking of women in China, see Section II—Population Control and Section II—Human Trafficking.]

Children of North Korean and Chinese Parents

Many children born to Chinese fathers and North Korean mothers remain deprived of basic rights to education and other public services, owing to their lack of legal resident status in China. According to some estimates, the population of children born in China to North Korean women ranges between 20,000 and 30,000.³⁷ The PRC Nationality Law provides that all children born in China are entitled to Chinese nationality if either parent is a Chinese citizen.³⁸ Chinese authorities reportedly continue to largely deprive these children of their rights to birth registration and nationality.³⁹ Without proof of resident status, these children are unable to access education and other public services.⁴⁰ The denial of nationality rights and access to education for these children contravenes China's obligations under the Convention on the Rights of the Child.⁴¹

Notes to Section II—North Korean Refugees in China

¹ Human Rights Watch, “China: Protect 7 North Koreans Fleeing Oppression,” May 14, 2019; Human Rights Watch, “North Korea,” in *World Report 2019: Events of 2018*, 2019, 437–442; William Gallo, “S. Korea Works for Safety of 7 Defectors Held in China,” *Voice of America*, May 3, 2019.

² UN High Commissioner for Refugees, Refugee Protection and International Migration, January 17, 2007, paras. 20–21; Human Rights Watch, “China: Protect 7 North Koreans Fleeing Oppression,” May 14, 2019; Roberta Cohen, “Legal Grounds for Protection of North Korean Refugees,” Brookings Institution, September 13, 2010.

³ Lin Taylor, “Through Lunar New Year Feast, North Korean Defectors Draw Attention to Their Plight,” *Reuters*, February 8, 2019; Tim A. Peters, Committee for Human Rights in North Korea, “Reaching Underground Believers & Guiding Others in Flight: Silent Partners Assist North Koreans under Caesar’s Sword,” September 24, 2018; Colin Zwirko, “South Korea ‘Mobilizing All’ Diplomatic Resources to Help Defectors Held in China,” *NK News*, May 3, 2019.

⁴ Democratic People’s Republic of Korea Ministry of State Security and People’s Republic of China Ministry of Public Security, *Zhonghua Renmin Gongheguo Gonganbu Chaoxian Minzhu Zhuyi Renmin Gongheguo Guojiaobaoweibu Guanyu Zai Bianjing Diqū Weihu Guojia Anquan He Shehui Zhixu De Gongzuo Zhong Xianghu Hezuo De Yidingshu* [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. The protocol commits each side to treat as illegal those border crossers who do not have proper visa certificates, except in cases of “calamity or unavoidable factors.”

⁵ 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 May 10, 2019. 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; United Nations Treaty Collection, Chapter V, Refugees and Stateless Persons, Protocol Relating to the Status of Refugees, accessed May 10, 2019. China acceded to the Protocol Relating to the Status of Refugees on September 24, 1982. See also Human Rights Watch, “North Korea” in *World Report 2019: Events of 2018*, 2019; Human Rights Watch, “China: Protect 7 North Koreans Fleeing Oppression,” May 14, 2019.

⁶ Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by UN General Assembly resolution 39/46 of December 10, 1984, entry into force June 26, 1987, art. 3. Article 3 states that, “No State Party shall expel, return (‘refouler’) or extradite a person to another State where there are substantial grounds for believing that he would be in danger of being subjected to torture.” United Nations Treaty Collection, Chapter IV, Human Rights, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, accessed May 10, 2019. China signed the Convention on December 12, 1986, and ratified it on October 4, 1988. UN Committee against Torture, Concluding Observations on the Fifth Periodic Report of China, adopted by the Committee at its 1391st and 1392nd Meetings (2–3 December 2015), CAT/C/CHN/CO/5, February 3, 2016, para. 46. See also Human Rights Watch, “China: Protect 7 North Koreans Fleeing Oppression,” May 14, 2019.

⁷ Ann Babe, “When the Dream Dies: Female North Korean Defectors Suffer Prejudice in the Competitive, Self-Absorbed South,” *South China Morning Post*, October 18, 2018; Lee Jeong-ho, “Treat North Korean Refugees as ‘Humanitarian Issue,’ Former US Prisoner Kenneth Bae Urges China,” *South China Morning Post*, April 18, 2019.

⁸ See, e.g., “Number of N. Korean Defectors to S. Korea Falls under Kim Jong-un: Data,” *Yonhap News Agency*, September 30, 2018; Jung Da-min, “Why Number of North Korean Defectors Keep Decreasing,” *Korea Times*, October 22, 2018; Shim Kyu-Seok and Sarah Kim, “3 Defectors Nabbed by Vietnam and Sent Back,” *Korea JoongAng Daily*, April 5, 2019.

⁹ Jung Da-min, “Why Number of North Korean Defectors Keep Decreasing,” *Korea Times*, October 22, 2018; “Number of N. Korean Defectors to S. Korea Falls under Kim Jong-un: Data,” *Yonhap News Agency*, September 30, 2018; Human Rights Watch, “North Korea” in *World Report 2019: Events of 2018*, 2019; Jo Hyon, “Video Surveillance Network Expanded on China-North Korea Border,” *Daily NK*, December 28, 2018.

¹⁰ Josh Smith and Joyce Lee, “Chinese Raids Hit North Korean Defectors’ ‘Underground Railroad,’” *Reuters*, June 16, 2019; Helen Regan and Jake Kwon, “China Is Cracking Down on Safe Houses Used by North Korean Defectors, Activists Say,” *CNN*, June 20, 2019.

¹¹ Josh Smith and Joyce Lee, “Chinese Raids Hit North Korean Defectors’ ‘Underground Railroad,’” *Reuters*, June 16, 2019.

¹² Helen Regan and Jake Kwon, “China Is Cracking Down on Safe Houses Used by North Korean Defectors, Activists Say,” *CNN*, June 20, 2019.

¹³ Ministry of Unification, Republic of Korea, “Policy on North Korean Defectors,” accessed May 10, 2019; “Activists Urge China to Not Repatriate N. Korean Defectors,” *Voice of America*, April 30, 2019.

¹⁴ Kim Song Il, “North Korean Defectors in China Repatriated,” *Daily NK*, November 28, 2018.

¹⁵ *Ibid.*

North Korean Refugees in China

¹⁶Kim Yoo Jin, "Elderly Man Dies After Defection Attempt and Repatriation to North Korea," *Daily NK*, December 14, 2018.

¹⁷Ibid.

¹⁸Kim Yoo Jin, "North Korean Authorities Surprised by Defections During Politically Sensitive Period," *Daily NK*, March 6, 2019.

¹⁹Ibid.

²⁰"It's Urgent, Too," editorial, *Korea Herald*, April 7, 2019; Shim Kyu-Seok and Sarah Kim, "3 Defectors Nabbed by Vietnam and Sent Back," *Korea JoongAng Daily*, April 5, 2019; Kim Myong-song and Roh Suk-jo, "Foreign Ministry 'Ignored N.Korean Defectors' Pleas for Help," *Chosun Ilbo*, April 5, 2019.

²¹Human Rights Watch, "China: Protect 7 North Koreans Fleeing Oppression," May 14, 2019; "Seven Detained North Korean Defectors in China Face Repatriation," *Radio Free Asia*, April 29, 2019; "Rally Held at Chinese Embassy in Seoul for Seven North Korean Defectors Detained in Shenyang," *Radio Free Asia*, April 30, 2019.

²²Jang Seul Gi, "Arrests of North Korean Defectors in China Continue," *Daily NK*, June 18, 2019.

²³"China Detains 60 North Korean Defectors, Sends Some Back," *Radio Free Asia*, August 7, 2019.

²⁴UN Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea, Report of the Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea, A/HRC/25/63, February 7, 2014, Annex II, 28. See also "Seven Detained North Korean Defectors in China Face Repatriation," *Radio Free Asia*, April 29, 2019; Jung-Hoon Lee and Joe Phillips, "Drawing the Line: Combating Atrocities in North Korea," *Washington Quarterly* 39, no. 2 (2016): 62.

²⁵"UN Rapporteur Urges China Not to Send N. Korean Defectors Back to Regime," *Arirang*, May 17, 2019; "UN Committee Voices Concern over China's Continued Deportation of N. Korean," *KBS World Radio*, September 6, 2018; Lee Chi-dong, "U.N. Refugee Chief Asks S. Koreans to Be More Hospitable to Asylum Seekers," *Yonhap News Agency*, October 24, 2018.

²⁶Tim A. Peters, Committee for Human Rights in North Korea, "Reaching Underground Believers & Guiding Others in Flight: Silent Partners Assist North Koreans under Caesar's Sword," September 24, 2018; Ha Yoon Ah, "Many Churches Assisting North Korean Defectors in China Close, Missionaries Say," *Daily NK*, February 8, 2019; International Christian Concern, "Expulsion of Foreign Missionaries in China Has Greatly Increased," February 13, 2019.

²⁷CECC, *2018 Annual Report*, October 10, 2018, 192; CECC, *2017 Annual Report*, October 5, 2017, 199.

²⁸International Christian Concern, "Expulsion of Foreign Missionaries in China Has Greatly Increased," February 13, 2019; Ha Yoon Ah, "Many Churches Assisting North Korean Defectors in China Close, Missionaries Say," *Daily NK*, February 8, 2019.

²⁹See, e.g., Joshua Berlinger, "Report Claims Thousands of North Korean Women Sold into Sex Slavery in China," *CNN*, May 21, 2019; "Bei mai dao Zhongguo . . . Beihan xinning cheng sheng zi gongju song hui Beihan zao yuzu qiangbao" [North Korean brides sold to China became childbearing tools, may be raped by prison guards upon repatriation to North Korea], *Liberty Times*, February 19, 2019. See also Robbie Gramer et al., "With Human Trafficking Report, Tillerson Rebukes China on Human Rights," *Foreign Policy*, June 27, 2017.

³⁰Ministry of Unification, Republic of Korea, "Policy on North Korean Defectors," accessed June 3, 2019. South Korean Ministry of Unification data show that as of June 2019, 85 percent (969) of the total number of North Korean refugees (1,137) who entered South Korea in 2018 were female; and 72 percent (23,606) of all North Korean refugees (32,706) who have entered South Korea since 1998 were female. Su-Min Hwang, "The North Korean Women Who Had to Escape Twice," *BBC*, January 18, 2019; Robert R. King, "Attention on DPRK and China Policies That Result in Sex Trafficking," *Peninsula* (blog), Korea Economic Institute, January 23, 2019.

³¹Robert R. King, "Attention on DPRK and China Policies That Result in Sex Trafficking," *Peninsula* (blog), Korea Economic Institute, January 23, 2019; Su-Min Hwang, "The North Korean Women Who Had to Escape Twice," *BBC*, January 18, 2019; Julian Ryall, "Returned North Korean Defectors Paraded to Lecture on Miseries of Capitalism They Saw in China," *Telegraph*, December 29, 2018.

³²Su-Min Hwang, "The North Korean Women Who Had to Escape Twice," *BBC*, January 18, 2019; Choe Sang-Hun, "Children of North Korean Mothers Find More Hardship in the South," *New York Times*, November 25, 2018.

³³Yoon Hee-soon, Korea Future Initiative, "Sex Slaves: The Prostitution, Cybersex & Forced Marriage of North Korean Women & Girls in China," May 20, 2019.

³⁴Ibid.

³⁵Joshua Berlinger, "Report Claims Thousands of North Korean Women Sold into Sex Slavery in China," *CNN*, May 21, 2019; Emma Batha, "North Korean Women Tell of Slavery and Gang Rape in Chinese Cybersex Dens," *Reuters*, May 20, 2019; Jung Da-min, "Young North Korean Defectors Fall Prey to Human Trafficking," *Korea Times*, January 22, 2019.

³⁶Convention on the Elimination of All Forms of Discrimination against Women, adopted by UN General Assembly resolution 34/180 of December 18, 1979, entry into force September 3, 1981, art. 6; United Nations Treaty Collection, Chapter IV, Human Rights, Convention on the Elimination of All Forms of Discrimination against Women, accessed May 10, 2019. China signed the Convention on July 17, 1980, and ratified it on November 4, 1980. Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime, adopted by UN General Assembly resolution 55/25 of November 15, 2000, entry into force December 25, 2003, arts. 6–9; United Nations Treaty Collection, Chapter XVIII, Penal Matters, Protocol To Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime, accessed May 10, 2019. China acceded to the Protocol on February 8, 2010.

North Korean Refugees in China

³⁷Crossing Borders, “North Korean Orphans,” accessed May 30, 2019; Kim Kwang-tae, “Journey to Freedom by N. Korean Victims of Human Trafficking,” *Yonhap News Agency*, December 22, 2017; Rachel Judah, “On Kim Jong-un’s Birthday, Remember the 30,000 Stateless Children He Has Deprived of Recognition,” *Independent*, January 7, 2018.

³⁸*Zhonghua Renmin Gongheguo Guoji Fa* [PRC Nationality Law], passed and effective September 10, 1980, art. 4. Article 4 of the PRC Nationality Law provides that, “Any person born in China whose parents are both Chinese nationals and one of whose parents is a Chinese national shall have Chinese nationality.”

³⁹See, e.g., Cara McGoogan, “We Were Sex Trafficked from North Korea and Sold to Men at Bridal ‘Markets,’” *Telegraph*, May 22, 2019; “Bei mai dao Zhongguo . . . Beihan xinniang cheng sheng zi gongju song hui Beihan zao yuzu qiangbao” [North Korean brides sold to China became childbearing tools, may be raped by prison guards upon repatriation to North Korea], *Liberty Times*, February 19, 2019.

⁴⁰See, e.g., Cara McGoogan, “We Were Sex Trafficked from North Korea and Sold to Men at Bridal ‘Markets,’” *Telegraph*, May 22, 2019; “Bei mai dao Zhongguo . . . Beihan xinniang cheng sheng zi gongju song hui Beihan xao yuzu qiangbao” [North Korean brides sold to China became childbearing tools, may be raped by prison guards upon repatriation to North Korea], *Liberty Times*, February 19, 2019.

⁴¹Convention on the Rights of the Child, adopted by UN General Assembly resolution 44/25 of November 20, 1989, entry into force September 2, 1990, arts. 2, 7, 28(1)(a). Under the Convention on the Rights of the Child, China is obligated to register children born within the country immediately after birth and also provide all children with access to education without discrimination on the basis of nationality.