

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299
Tel: 212-290-4700
Fax: 212-736-1300; 917-591-3452

ASIA DIVISION

Brad Adams, *Executive Director*
Kanae Doi, *Japan Director*
Meenakshi Ganguly, *South Asia Director*
Phelim Kine, *Deputy Director*
Elaine Pearson, *Australia Director*
Sophie Richardson, *China Director*
Phil Robertson, *Deputy Director*
John Sifton, *Advocacy Director*
Mickey Spiegel, *Senior Advisor*
Patricia Gossman, *Senior Researcher*
Andreas Harsono, *Senior Researcher*
David Mathieson, *Senior Researcher*
Sunai Phasuk, *Senior Researcher*
Tejshree Thapa, *Senior Researcher*
Jayshree Bajoria, *Researcher*
Carlos H. Conde, *Researcher*

Saroop Ijaz, *Researcher*
Maya Wang, *Researcher*
Linda Lakhdir, *Legal Advisor*
Riyo Yoshioka, *Senior Program Officer*
Ahmad Shuja, *Research Associate*
Storm Tiv, *Senior Associate*
Shayna Bauchner, *Associate*
Georgia Bright, *Associate*
Daniel Lee, *Associate*

ADVISORY COMMITTEE

David Lakhdir, *Chair*
Orville Schell, *Vice-Chair*
Maureen Aung-Thwin
Edward J. Baker
Robbie Barnett
Robert L. Bernstein
Jerome Cohen
John Despres
Mallika Dutt
Kek Galabru
Merle Goldman
Jonathan Hecht
Sharon Hom
Rounaq Jahan
Ayesha Jatal
Robert James
Joanne Leedom-Ackerman
Perry Link
Krishen Mehta
Andrew J. Nathan
Xiao Qiang
Bruce Rabb
Balakrishnan Rajagopal
Ahmed Rashid
Victoria Riskin
James Scott
Mark Sidel
Eric Stover
Ko-Yung Tung
Francesc Vendrell
Tuong Vu

HUMAN RIGHTS WATCH

Kenneth Roth, *Executive Director*
Michele Alexander, *Deputy Executive Director, Development and Global Initiatives*
Carroll Bogert, *Deputy Executive Director, External Relations*
Iain Levine, *Deputy Executive Director, Program*
Chuck Lustig, *Deputy Executive Director, Operations*
Bruno Stagno Ugarte, *Deputy Executive Director for Advocacy*
Dinah PoKempner, *General Counsel*
James Ross, *Legal & Policy Director*
Hassan Elmasry, *Co-Chair*
Joel Motley, *Co-Chair*

November 25, 2015

Park Geun-Hye
President of the Republic of Korea
1 Cheongwadae-ro, Jongno-gu,
Seoul 03048, Republic of Korea
Fax: +82 2-770-4721
E-mail: President@president.go.kr

Re: Nine North Korean refugees in Chinese custody

Dear President Park,

Human Rights Watch is an international nongovernmental organization that investigates and reports on human rights abuses in over 90 countries, including North and South Korea. We work on a wide range of human rights issues worldwide, including the risk of refoulement of refugees, use of torture, and restrictions on basic rights, like freedom of movement to leave one's home country.

Human Rights Watch requests you to urgently intercede with top leaders in Beijing to stop the forced return of a group of nine North Korean refugees currently in China's custody, and permit them to travel and seek asylum in a country of their choice, including South Korea. Human Rights Watch is seriously concerned that if the group, which includes an 11-month-old baby, is returned to North Korea, they will face harsh abuses, including possible incarceration in prison camps, forced labor, torture, sexual violence, or even execution. Additional information about this group is available here: <https://www.hrw.org/news/2015/11/21/china-dont-return-nine-north-korean-refugees>

This matter is quite urgent because according to the latest information we have, this group was last being held at Tumen, in Jilin Province, at a military garrison near the China-North Korea border. A forced return could happen at any time.

North Koreans who leave the country without permission face certain and harsh punishment upon repatriation and therefore should be considered

HUMAN
RIGHTS
WATCH

HRW.org

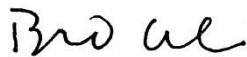
as *refugees sur place* – people who become refugees as a result of fleeing their country or due to circumstances arising after their flight.

As I'm sure you know, North Korea's Ministry of People's Security adopted a decree in 2010 making defection a crime of "treachery against the nation," punishable by death. North Koreans who have fled the country since 2013, or who are residing outside the country but are able to surreptitiously communicate with contacts inside North Korea, have told Human Rights Watch that persons caught and repatriated from China face incarceration and mistreatment in political prison camps (*kwanliso*), which are operated by the State Security Ministry.

Human Rights Watch appreciates that on November 19, the South Korean government co-sponsored and voted in favor of a UN General Assembly resolution condemning the grave human rights violations in North Korea. We also noted that after a summit with US President Barack Obama on October 16, 2015, you jointly agreed with the US to "improve the human rights situation in North Korea and ensure accountability for human rights violations, as well as to improve the livelihood of the people in North Korea."

At this desperate time, South Korean leadership is crucial in order to save these nine North Korean refugees in Chinese custody. We strongly urge that you press the Chinese government to reveal the whereabouts of the group. South Korea should insist that Beijing respect its international obligation to protect refugees and under no circumstances force them back to a place where they could face persecution. The only reasonable and rights-respecting way for Beijing to proceed is to allow this group of nine North Koreans move without hindrance or harassment to a country where they will feel safe, such as South Korea.

Sincerely,



Brad Adams
Executive Director, Asia Division
Human Rights Watch

CC:

Yu Byung-Se, Minister of Foreign Affairs

Hong Yong-Pyo, Minister of Unification

Kim Jang-Soo, Ambassador of the Republic of Korea in Beijing

Lee Sung-Ho, Chairperson, National Human Rights Commission of Korea