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Stand up for human rights

Don't disengage from human rights in North Korea.

HRW (17.12.2019) - <https://bit.ly/2rZDbEz> - The [South Korean](#) government should stop disengaging from ongoing human rights abuses by North Korea, a coalition of human rights and other groups said on December 16, 2019 in a [joint open letter](#) to South Korean president Moon Jae-in.

The [International Coalition to Stop Crimes Against Humanity in North Korea](#) (ICNK) and 76 nongovernmental groups, coalitions, and individuals from 22 countries, representing over 300 groups and individuals, said South Korea's recent decisions

betray past efforts to push for human rights improvements for the North Korean people.

“President Moon Jae-in and his government are ignoring North Korea’s grave human rights abuses in a misguided effort to mollify Kim Jong Un and improve relations with Pyongyang, but by doing so, they betray the long-suffering people of North Korea,” said [Phil Robertson](#), Asia deputy director at Human Rights Watch. “President Moon should reevaluate this disturbing policy and reverse course before it’s too late.”

In November, South Korea decided to end its past co-sponsorship of an annual resolution in the United Nations General Assembly condemning North Korea’s rights record. The South Korean government also [deported two North Korean fishermen](#) accused of killing 16 fellow crew members in the East Sea to face murder charges in North Korea. The deportation of criminal suspects from South Korea to North Korea is an unprecedented and shocking departure from previous practice, the coalition said. Serious concerns have been raised that the two men could face torture in detention, followed by the lack of a free and fair trial.

“President Moon Jae-in’s government is signaling to Pyongyang that South Korea’s priority is engagement in inter-Korean dialogue without any demands in return, even at the cost of overlooking severe crimes,” said [Eun-Kyoung Kwon](#), secretary general at ICNK. “It is crucial that the South Korean government shows that it remains committed to the basic principles of protection of those most at risk in North Korea, and to do it needs to correct its current stance.”

The coalition urged President Moon to rejoin the resolution as a co-sponsor when member states vote on it at the General Assembly’s plenary session on December 18.

“If President Moon Jae-in really wants peace on the Korean peninsula, he cannot ignore the appalling human rights crisis in North Korea,” said [Benedict Rogers](#), East Asia team leader at nongovernmental organization CSW. “Peace can only be achieved with justice, with an end to impunity, and with the basic rights and dignity of the people of North Korea respected and protected. It is essential to place discussion of human rights at the heart of engagement with North Korea and the human rights crisis in North Korea regularly on the agenda of the UN Security Council.”

For more Human Rights Watch reporting on South Korea, please visit:

<https://www.hrw.org/asia/south-korea>

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Burma Partnership (Thailand)
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Christian Solidarity Worldwide
COMJAN (Investigation Commission on Missing Japanese Probably Related to North Korea) (Japan)
Committee for Human Rights in North Korea (USA)
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International Federation for Human Rights (FIDH)
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NK Intellectual Solidarity (ROK)
NK Watch (ROK)
No Fence (Japan)
North Korea Freedom Coalition
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The lives of the two North Korean defectors who have been forcefully repatriated from South Korea must be protected

By Dr. Yeosang Yoon

NKDB News (11.11.2019) - <http://bit.ly/2RhqYMq> - An act that should never have happened in South Korea has unfolded.

According to media reports, the South Korean government handed over two North Koreans to DPRK officials at the border village of Panmunjom in the DMZ at 15:10 on November 7th, 2019. It is the South's very first deportation of North Korean defectors who have expressed their intent to remain in the Republic of Korea.

The South Korean government revealed that the two North Korean fishermen in their 20s crossed the maritime border (NLL) and were seized by the South Korean navy on November 2nd, 2019. While being interrogated by the ROK's authorities, the two young men expressed their intention to defect to South Korea. According to the South's investigators, the two fishermen killed 16 fellow crew members aboard a squid fishing vessel on North Korea's East Coast before fleeing to South Korean waters.

The South Korean government mentioned the following grounds for sending them back to the DPRK: they are serious criminals and thus denied the rights to be protected under the law, they pose a threat to the safety of South Koreans if they were to be granted entry, and that criminals are not recognized as refugees under international refugee law.

However, the announcement and the reasons for the deportation provided by the South Korean government fail to comply with every law that pertains to the essence of this issue including the South Korean Constitution, North Korean Refugees Protection and Settlement Support Act (hereinafter "North Korean Refugees Support Act"), and all past Supreme Court decisions; and can be defined as a crime against humanity.

Article 3 of South Korea's Constitution stipulates that "the territory of the Republic of Korea (South Korea) shall consist of the Korean peninsula and its adjacent islands," recognizing the North Korean region as its territory. Past Supreme Court decisions recognize all North Korean citizens and North Korean defectors who have entered South Korea as South Korean citizens.

Despite such legal basis, and the fact that the two North Koreans entered the South, sought protection from the South Korean government, and refused to return to the North by expressing their intent to defect to ROK, the authorities nevertheless deported the two North Koreans. The South Korean government stated the reasons below to explain their justification of the deportation.

- First, offenders of serious crimes are exempted from protection pursuant to the North Korean Refugees Support Act, thus it was justifiable that they were deported.
- Second, serious criminals are also not recognized as refugees under international refugee law. It is justifiable that they are deported to keep the lives and safety of South Koreans.
- Third, the unprecedented nature of this case and the absence of relevant regulations

- have led South Korean government bodies to make a joint decision.
- Fourth, this case was not disclosed to the public and was mistakenly uncovered by the media. If the case remained undisclosed, it would have likely remained low-profile.

The claims by the South Korean government can be deemed to have breached the Constitution, relevant laws, Supreme Court decisions, and even humanity for the following reasons:

First, it is stated in Article 1 of North Korean Refugees Support Act that “the purpose of this Act is to provide for matters relating to protection and support as necessary to help North Korean residents escaping from the area north of the Military Demarcation Line who desire to be protected by the Republic of Korea, as swiftly as possible to adapt themselves to, and settle down in, all spheres of their lives, including political, economic, social and cultural spheres.” Just as the Article clearly states that North Korean residents who seek protection from South Korea are subject to the Act, the two young North Koreans who sought protection from South Korea are duly subject to the Act.

Article 2 of the same Act also stipulates that North Korean refugees refer to “persons who have their residence, lineal ascendants and descendants, spouses, workplaces, etc. in the area north of the Military Demarcation Line (“North Korea”), and who have not acquired any foreign nationality after escaping from North Korea.” Pursuant to the Act, they are North Korean refugees.

When the South Korean government locates and holds custody of a person claiming to be a North Korean refugee, it is the South Korean National Intelligent Service (NIS) that determines the person’s status as a resident of North Korea, hence a North Korean refugee (once verified as a resident of North Korea, the person is automatically recognized as a North Korean refugee regardless of the purpose of or reason for defection, escape route, identity, and past acts or records.) The NIS’s North Korean Defector Protection Center conducts an investigation and once determined as a resident of North Korea, the person is deemed a citizen of South Korea.

There is currently no single legal basis including the Constitution, laws, and Supreme Court decisions that provides basis for the South Korean government to deport a South Korean citizen to North Korea. North Korean residents or refugees are deemed South Korean citizens, and hence cannot be sent back to North Korea. If done so, this is a grave breach of the Constitution and relevant laws.

The information compiled through the investigation at the NIS’s North Korean Defector Protection Center are sent to the Ministry of Unification to use it to review and determine whether the North Korean refugee is now eligible for special protection and support from the government.

The South Korean government announced that it has confirmed that the two fishermen were residents of North Korea. In other words, the government deported North Korean refugees against their will.

Article 2 Section 2 states that “the person eligible for protection” refers to a resident escaping from North Korea who is provided with protection and support pursuant to this Act. According to Article 8 (Decision on Protection) and Article 9 (Criteria for Protection), the person intending to receive government support (financial support for settlement, social integration education, shelter, medical service, education, employment, living support, etc.) must first be recognized as “the person eligible for protection.” Hence, this Act is only to decide whether the North Korean refugee is eligible to receive the government benefits. It does not decide on whether the person shall be deported or not.

The decision on whether the person is eligible for protection is under the authority of the Minister of Unification after review by the Consultative Council. However, if the North Korean refugee is deemed as a significant threat to national security, the Director of the National Intelligence Service shall decide on his or her protective status and immediately report to the Minister of Unification and the North Korean applicant respectively.

According to Article 9, the government may not decide to provide protection to the following persons:

1. International criminal offenders involved in aircraft hijacking, drug trafficking, terrorism or genocide, etc.;
2. Offenders of nonpolitical and serious crimes, such as murder;
3. Suspects of disguised escape;
4. Persons who have earned their living for at least ten years in their respective countries of sojourn;
5. Persons who have applied for protection when three years elapsed since their entry into the Republic of Korea;
6. Other persons prescribed by Presidential Decree as unfit for the designation as persons eligible for protection.

The government announced that the two North Koreans apply to the second item and hence they are ineligible for protection. In addition, it added that as the two men were significant threats to the security of people in South Korea, it is only right that they shall be deported.

If it is true that the two North Koreans were offenders of serious crimes as announced by the government, they may not be provided protection pursuant to the Act. As such, the documents that led to this decision by the Minister of Unification and the Consultative Council should be verified. Nonetheless, even if they were deemed to be ineligible for protection, it simply means that their potential government benefits have been stripped away, and in no way does it serve as the basis to make a decision for deportation.

According to the 2019 report on the parliamentary inspection of the administration, three North Korean refugees have been denied legal protection over the past five years as a result of them having committed serious nonpolitical or transnational crimes. The report on the protection decision submitted to the legislature by the Ministry of Unification on October 20, 2019, showed that a total of 137 North Korean refugees have been deemed ineligible for protection over the past five years, and among them was a bounty hunter aiming to arrest North Korean defectors, and two murderers.

People ineligible for protection are thus given other forms of protection and support from the government and society specific to their needs, but they are not subject to deportation. Which is why until now, there has never been a public announcement of the government forcefully repatriating North Koreans back to North Korea. In fact, while there have been quite a large number of North Korean refugees who have been denied protection pursuant to the Act, not a single person has been deported.

Pursuant to the Enforcement Decree of the Act, any person who is likely to affect national security to the considerable extent prescribed in the provision to Article 8 (1) of the Act shall be any of the following persons.

1. A person who has committed a crime concerning insurrection or crime concerning foreign aggression defined in the Criminal Act; a crime of insurrection, crime of benefitting the enemy, or crime of unlawful use of secret codes defined in the Military Criminal Act; or any other crime falling under the National Security Act (excluding Article 10) or the Military Secret Protection Act; or a person who initially intended to commit any of the aforesaid crimes but has expressed his/her will to renounce such

- intention;
2. A person deemed essential for national security by the Director of the National Intelligence Service among persons actively engaged in protecting the North Korean regime in the Workers' Party; the Cabinet; the armed forces; the Ministry of People's Security; or the Ministry of State Security of North Korea;
 3. A spouse or relative of the person of supreme power in North Korea;
 4. A person with important intelligence in advanced science or other special and professional fields closely related to national security.

The government has yet to disclose when and by whom the decision that led to the status of ineligibility for protection of the two North Korean nationals was made. According to the government statements, other than the fact that they are fishermen, no particular information pertaining to their personal identity has been announced which makes it unlikely that the Director of National Intelligence Service would be the one to make the decision for protection. There is no additional information that would show that these North Koreans would affect national security. Assuming that what the South Korean government announced about the two men is all true, they are simply offenders of criminal law, not threats to national security. In this case then, the decision maker for such matters on protection should have been made by the Minister of Unification. The Consultative Council under the Ministry of Unification normally holds the review meeting once a month, and hence it is highly likely that the normal process was not applied to the two North Koreans. If this was the case, the two men were deported without due procedures as required by law.

When North Koreans are found by the South Korean government at sea (usually on fishing vessels that have drifted away or crossed the border for fishing) and they express their intent to go back to North Korea, the government respects their will and sends them back without the procedures required for decision on protection. Although the two fishermen in this case refused to go back, the same process as those wishing to go back was undertaken. Because the two fishermen escaped from North Korea, their repatriation will only place their lives in greater danger.

In conclusion, first, the South Korean government has no authority to deport North Koreans against their will even if they are deemed offenders of serious crimes or threats to the national security. While North Koreans eligible for protection can receive various social government benefits, those who have been decided as ineligible for protection only receive a resident registration card. The only difference is that once they start living in South Korea, their living conditions may be more difficult than other North Korean defectors who receive protection. Since the two Koreas have been divided, several hundreds of North Korean defectors have integrated into Korean society without these protection benefits.

Second, the government claims that the two seized North Koreans are offenders of serious crimes and thus not recognized as refugees under international refugee law. Once North Koreans are confirmed to be residents of North Korea by the NIS, whether they have left for political reasons or for survival, they automatically become North Korean refugees regardless of the reason.

North Korean defectors who wish to voluntarily return to North Korea should be sent back on humanitarian grounds. If they wish to reside in South Korea then their eligibility for protective status should be reviewed and if they are eligible they can live in South Korea and receive the relevant benefits, and those who are considered eligible are unable to receive governmental benefits (some are able to receive partial governmental benefits), and live their lives in difficulty by their own accord in South Korea.

As North Koreans (including North Korean defectors in South Korea) are deemed citizens of South Korea pursuant to the Constitution, relevant laws, and Supreme Court decisions, they are not subject to the general refugee status review. The general refugee status review is for

people of other nationalities. As North Koreans are citizens of South Korea, the refugee status review does not apply to them. North Koreans may be subject to refugee review and obtain refugee status in China and elsewhere but not in South Korea. The claim by the South Korean government that they are not recognized as refugees under international law because they are serious criminals and that they were sent back for this reason, cannot be established. To put it simply, North Korean “refugees” are not legally defined as refugees under South Korean law and are legally considered as South Korean citizens with full rights and protections including legal due process provided to other South Korean citizens.

If the two North Koreans are criminals and as such present a great threat to the safety of South Koreans, as claimed by the ROK government, they must be put under trial pursuant to South Korean law. The crimes that occurred in North Korea and in the South can be investigated and punished pursuant to current law, and this has been the norm. Although there may be restrictions in verifying facts for crimes that occurred in North Korea, the South’s prosecution, police, and the Court have the basis to put them under trial and punish them accordingly. Hence, the forced deportation for such reasons cannot be justified. If there are limitations to the legal system, the emergence of such North Koreans should only lay the foundation for improved regulations, not the basis for forced deportation.

Third, the government claimed that the absence of appropriate regulations and the fact that this is an unprecedented case led government bodies to hold joint meetings for the decision. The method of investigation, method of granting legal status, the authority to review and decide on protection related to North Koreans who have entered the South are already clearly laid out in the North Korean Refugees Support Act. As the Constitution and Supreme Court decisions deem North Korean residents as South Korean citizens, there has been no need to put in place regulations that allow the forced deportation of North Koreans who refuse to be deported back to the North. Such regulations do not need to exist which is why this case is unprecedented.

If this has been the first case of forced deportation as announced by the government, it means that the past government and authorities have duly performed their duties related to North Korean residents in compliance with the law and the current government and related decision makers have not. It implies that they have committed crimes against the North Koreans who have every right to undergo fair and appropriate procedures for defection.

If the government officials made the deportation decision through joint meetings, then the meeting minutes must be disclosed. If breaches of laws are found in the processes, they must be held accountable.

There have been many cases of North Korean residents being sent back through Panmunjom, but it is yet factually unclear if their intent to go back had been confirmed in an objective manner. If the media did not reveal this case of the two fishermen, it is likely that this case would have never been disclosed publicly. For all other cases of North Korean residents who allegedly have voluntarily went back to the North, objective verification is called for.

The following measures are urged in light of this recent case:

1. **The protection of the lives of the two North Korean deportees must become top priority.** Considering the charges made against them, North Korea’s legal system and its past punishment practices, the lives of the two deportees will be in grave danger. The South Korean government, the UN, international organizations, and domestic and international human rights activists, and the media must make continued efforts to reach out to the North Korean authorities and check the safety of the two people. The attention of the international community is called for to ensure their human rights are not infringed in the process of investigation, detention, and punishment by the North Korean government.

2. **South Korea needs to put in place appropriate processes to confirm the intent of the repatriated North Korean residents was voluntary or not.** Past voluntary repatriations were only checked and decided by the government, and hence it is necessary for additional neutral parties such as international human rights organizations including the UN Human Rights Office in Seoul to engage and verify the voluntary intent of the people being sent back.
3. **Special investigation and legislative inspection of the administration to this case must be taken.** It is highly likely that this case has breached the Constitution and relevant laws to a serious extent and will lead to adverse consequences for North Korean residents and defectors in and outside of Korea. This case calls for a strict investigation of the relevant government agencies and officials involved in this matter. As it is the government being put under investigation, matters related to their accountability and their breach of law must be investigated through an appointed special prosecutor. Legislative inspection of the administration is also necessary for the overall investigation of what happened.

The forced deportation of the two North Koreans will be the first human rights infringement case to be recorded by the Database Center for North Korean Human Rights in its North Korean Human Rights Archives which currently holds approximately 120,000 records of human rights abuses and personal files, in which the South Korean government has become the perpetrator.

North Koreans have the same right to life as anybody else. I call for the South Korean government, the National Assembly, international organizations, civil groups, and human rights organizations to make sincere and concerted efforts to protect the rights of the deportees and prevent such unfortunate events from happening in the future.

North Korean workers in China forced to work overtime before sanctions deadline



North Korean workers at a fish processing plant in Hunchun, China.

AP Photo/Ng Han Guan

Radio Free Asia (23.10.2019) - <https://bit.ly/2KFIYXf> - North Korean authorities are forcing workers dispatched to China to work grueling overtime schedules in the few remaining months they have left as legal workers overseas, industry sources told RFA's Korean Service.

Sanctions aimed at depriving Pyongyang of resources that could be used in its nuclear and missile programs mandate that all overseas North Korean workers return home by the end of this year.

Pyongyang's overtime push is an attempt to squeeze every last penny they can out of their overseas workers before the well of foreign cash their work provides dries up.

A Chinese source, a quality control specialist at a fish processing plant in Donggang, China, told RFA's Korean Service Sunday that North Koreans there have been working grueling hours since last month.

"North Korean workers take on an extra four or five hours after eating dinner at 6 p.m. and they don't go to their rooms until 11," said the source.

The source said that the North Koreans were not working overtime on the company's orders.

"The North Korean supervisor asked the company if they could work overtime for extra pay. All the North Korean workers need to return home by the end of the year, but they are really driven to earn as much foreign cash as they can before their return," said the source.

But the source also revealed that the workers themselves aren't seeing the fruits of their extra work.

"All the extra pay they are earning is actually given in a lump sum of Chinese yuan to the supervisor at the end of the month," the source said.

"For all their toiling for extended hours into the wee hours of the night, they are not getting paid at all," the source said.

The source noted that most of the workers are young and are also trading away the best years of their youth.

"They eat lunch and dinner at the work site, so they can immediately get back to work without any break. It is so sad to see young girls struggling to work like the men, processing and packing frozen fish well into the night with no complaints," said the source.

Another source in Dandong, China said that North Koreans there were already in violation of sanctions.

"There are more than 10 fish processing companies in Dandong that employ North Koreans. Most of them are in China on short-term [30-day] visas, because they are not allowed to get working visas in China due to sanctions from the U.N. Security Council," the second source said.

"When their short-term visas expire, they go back home then immediately return [to China] to work again on another short-term visa," said the second source.

The second source said that even after the deadline, North Korea will find a way to send workers to China.

“The North Korean authorities ordered all their workers in China to return home by the end of December. But in the new year, [they] will find a way to send their foreign currency-earning workers back by any means necessary,” said the second source.

According to a Forbes article published in July, there is an upper estimate of 80,000 North Korean laborers working in China.

Reported by Hyemin Son for RFA’s Korean Service. Translated by Leejin Jun. Written in English by Eugene Whong.

North Korean refugees rely on cellular phones during journey to freedom



Thirteen North Koreans peer across the Mekong river, after arriving in Southeast Asia
October 18, 2019

Radio Free Asia (15.11.2019) - <https://bit.ly/2rVAbc1> - Cellular phones are the single most important tool for North Koreans making the risky trek to South Korea through China and other Asian countries, according to the head of a South Korean NGO that helps refugees after they have escaped from the North.

Ji Seong-ho, a former refugee who founded Now Action Unity Human Rights (NAUH) in 2010, told RFA’s Korean Service that for the 13 North Korean refugees who were able to rendezvous with him and his team in a Southeast Asian country last month, cellular phones were vitally important.

The phones allowed NAUH to remain in constant communication with the group up until the moment they met.

The 13 had travelled through China and then two other countries before arriving in their final destination, where NAUH had sent a rescue team.

Ji said that after groups of refugees cross a river to reach the destination country, it is never easy to find them, because they could be anywhere within a wide area of river border.

For the group of 13, which included several minors, NAUH was able to quickly pinpoint their exact location thanks to a cellular phone carried by one of the refugees, a woman in her 20s.

She was reportedly able to text her location to the NGO's rescue team before crossing the river, then she called them after they had safely crossed.

Double-edged sword

As valuable as cellular phones can be to refugees on the run, they can also be tools for their pursuers as they can be tracked to pinpoint the location of users. Chinese authorities are believed to use the technique to catch groups of North Korean refugees trying to get to third countries through China.

Ji told RFA that another group of North Korean refugees was caught mid-journey by Chinese police last month. He said he assumed the authorities used cellphone tracking to find them.

Refugees therefore have been known to turn off the phones except for when they are absolutely needed.

One of the 13, going by the alias Park Ju-yeong, told RFA that he tried to get the others in his group to refrain from using their phones during their journey because he was afraid that their location would be exposed.

Reconnecting

Once the 13 arrived at a private house, where they spent the first night in the destination country, the refugees asked for access to Wi-Fi so that they could connect their cellular phones to the internet and communicate with family members who had already settled in South Korea.

They were able to send text messages and videos, so many of them assured their relatives and friends that they had safely arrived.

Shortly after the 13 refugees arrived and met the members of NAUH, they turned themselves in to the police for their illegal entry into the country. RFA has confirmed they have reached safety and are expected to arrive in South Korea soon.

Including these 13, NAUH claims to have rescued more than 460 North Korean refugees since 2011. Ji Seong-ho says the group will continue their work to deliver more North Korean refugees to freedom.

According to South Korea's Ministry of Unification more than 33,000 North Koreans have entered South Korea over the past several decades, including 546 as of June this year.

Reported by Jung Min Noh for RFA's Korean Service. Translated by Leejin Jun. Written in English by Eugene Whong.

South Korea deports two North Koreans accused of murder, angering rights groups



At a press briefing, South Korea's Unification Ministry spokesman Lee Sang-min reports that two North Korean fishermen that authorities picked up at sea were deported to North Korea on November 7, 2019.

By Eugene Whong

Radio Free Asia (07.11.2019) - <https://bit.ly/2KzmgPr> - South Korea deported two North Koreans accused of murder to North Korea Thursday, an act that experts and rights organizations criticized as a troubling decision that could send the wrong signal to future asylum seekers from the North.

According to Seoul's Ministry of Unification, the fishermen killed 16 crew members on their fishing boat prior to being picked up Saturday near the Northern Limit Line, the maritime border between North and South, in waters east of the Korean peninsula.

They were sent back to North Korea at about 3:10 p.m. Thursday through the joint security area in Panmunjom, a first for deportations.

"We decided to deport them after determining that accepting them to our society could pose a threat to the lives and safety of our people and that such criminals cannot be recognized as refugees under international law," said Ministry of Unification Spokesperson Lee Sang-min, at a press briefing.

South Korean officials said that the two fishermen confessed that they and another crew member killed the captain of the fishing vessel in late October because of his harsh treatment. They then killed the other crew members one by one, dumping their bodies overboard.

According to their account, they tried to return to North Korea, but when they entered a port on the North's east coast, the other crew member was detained by police. The other two fled to the South on the fishing boat.

"Troubling" deportation

Human rights experts and lawyers told RFA's Korean Service that deportation was not the way South Korea should have handled the situation.

"I am deeply troubled and deeply disturbed by this development. For more than 20 years, the South Korean government and the people of South Korea, the taxpayers of South Korea, have extended help and naturalization programs to about 33,000 North Koreans," said Greg Scarlatoiu, executive director of the Committee for Human Rights in North Korea (HRNK).

"What's really, really troubling is that the South Korean authorities took only three days to issue these two men a death sentence," he said.

"The fact that two human beings can be issued a death sentence in South Korea in three days is deeply, deeply troubling. It sends a signal to other North Korean escapees that South Korea no longer welcomes them. South Korea no longer provides a safe haven for them," Scarlatoiu added.

HRNK also issued an official statement Thursday saying that it was deeply concerned over "the first deportation of North Koreans by South Korea since the 1953 Korean War Armistice."

The statement pointed out that the men were returned to the North against their will, an act that "undermines" the South Korean constitution, which recognizes all North Koreans as citizens of the Republic of Korea, "granting them the right to live in the South and be protected by its legal system."

Meanwhile, Phil Robertson of Human Rights Watch (HRW) criticized the lack of transparency on the part of the South Korean authorities in determining the pair's fate.

"The whole story doesn't quite make sense because the South Korean government at this point should really make available the full information about whatever investigation and questioning they engaged in with these North Korean men before they sent them back," said Robertson.

"There should be a full review of the investigation that was done to make sure it was, in fact, thorough and impartial," HRW's Asia Division deputy director said.

Robertson questioned the entire process.

"What evidence do they have? The South Korean government needs to provide that and has to make that public. Do they have the 16 bodies? Do they have other evidence to show that two men were able to kill 16 other people, which seems very improbable? The fact that the South Korean government is refusing to release information about this is immediately suspect," he said.

A Washington, DC-based lawyer criticized the deportation, saying that Seoul should have simply tried the men in a South Korean court.

"South Korea claims jurisdiction over all of the South Korean peninsula in its constitution. While I am critical of South Korea's legal system, because I've represented clients who are in that system, it is far fairer and far more humane than the North Korean system, in which there is torture, a complete lack of due process, and where these men can expect the most brutal treatment imaginable," said Joshua Stanton, who was a member of the U.S. Army Judge Advocate General's Corps stationed in South Korea between 1998 and 2002.

"It is a dangerous precedent for the same reason the people of Hong Kong saw the extradition of an accused murderer to China as a dangerous precedent," said Stanton. Stanton said that South Korea might even be in violation of international law by returning the men to North Korea.

"It sounds like a violation against the U.N. convention on torture. Article III of that convention says you're not supposed to send people back to places that torture people," he said.

He maintained that the men should be deemed innocent until proven guilty.

"You don't know that someone is a danger to society or a murderer until you give them a trial. You can never assume a person's guilt," he said, adding, "Arrest them. Indict them. Give them their day in court," he said.

"You have legitimized a system in North Korea that routinely tortures, that denies due process, that punishes with extraordinary brutality. South Korea has now implicitly recognized that that is a legitimate justice system and it is not."

Robertson was very critical of the South Korea's president Moon Jae-In, saying the deportation was yet another example of the administration's poor record in dealing with North Korea on human rights issues.

"The problem, frankly, is that the South Korean government has continuously failed to take North Korean human rights seriously. President Moon and his administration have unfortunately given North Korea a completely free pass on human rights issues. It's actually shameful and unacceptable," said Robertson.

Jung Gwangil, a former official at a North Korean trading company who now runs a human rights organization based in South Korea, told RFA that he believed that Seoul gave the men up so quickly to placate the North over other issues in the fractious inter-Korean relationship.

"It doesn't make sense at all. I think the [South Korean government] offered them up to North Korea as a sacrifice, since North Korea is so adamant about the Mt. Kumgang issue," said Jung, referring to Kim Jong Un's recent order to demolish South Korean buildings at an inter-Korean tourist resort.

Experts see the controversial demolition order as Kim's deliberate lashing out at the South over its unwillingness to decouple itself from the United States' push to get North Korea to dismantle its nuclear weapons program.

Hee Jung Yang contributed to this report.

CORRECTION: An earlier version of this report incorrectly attributed some of Robertson's comments to Scarlatoiu.

UN expert calls for engagement amid continuing rights violations

UN (24.10.2019) – <https://bit.ly/2C0XsLi> - A UN human rights expert said North Korea's

economic resources were being diverted away from the essential needs of the people as food insecurity remained at alarming levels.

Tomás Ojea Quintana, the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea, said the fact that 11 million North Koreans - nearly half of the population - remained undernourished served as a reminder of the State's long-failing economic and agricultural policies.

"We should not forget the devastating famine of the mid-1990s when up to one million people starved," he told the General Assembly in New York, calling for specific State reforms.

The Special Rapporteur also updated Member States on the ongoing suppression of basic freedoms, including freedom of expression. "North Korean people continue to live in the entrenched fear of being sent to a political prison camp," he said. "You can be suddenly taken by agents of the Ministry of State Security and never be seen again."

While highlighting the ongoing seriousness of the situation and the need for accountability, the Special Rapporteur urged member states to explore new avenues of constructive dialogue with the Government. "The Government has accepted 132 recommendations from the UN's Universal Periodic Review of the country's human rights record; this opens opportunities for engagement by Member States and the UN towards bringing real improvements," Quintana said. "North Korea needs to open up to this dialogue in the spirit of international cooperation."

In addition, the Special Rapporteur urged Member States to cease the sidelining of human rights concerns during negotiations on denuclearisation and sanctions relief. "Integrating fundamental human rights into the current negotiations is crucial for the sustainability of any agreement for denuclearisation and peace for the Korean Peninsula and beyond," Quintana said. "This is not an agenda that can be deferred."

ENDS

Mr. Tomás OJEA QUINTANA (Argentina) was designated as the [Special Rapporteur on the situation of human rights in the DPRK](#) by the UN Human Rights Council in 2016. Mr. Ojea Quintana, a lawyer with more than 20 years of experience in human rights, worked for the Inter-American Commission of Human Rights, and represented the Argentinian NGO "Abuelas de Plaza de Mayo" in cases concerning child abduction during the military regime. He also led cases of criminal corporate responsibility. He is a former Head of OHCHR human rights programme in Bolivia, and served as the UN Special Rapporteur on the situation of human rights in Myanmar from 2008 to 2014.

The Special Rapporteurs are part of what is known as the [Special Procedures](#) of the Human Rights Council. Special Procedures, the largest body of independent experts in the UN Human Rights system, is the general name of the Council's independent fact-finding and monitoring mechanisms that address either specific country situations or thematic issues in all parts of the world. Special Procedures' experts work on a voluntary basis; they are not UN staff and do not receive a salary for their work. They are independent from any government or organisation and serve in their individual capacity.

Group of 13 North Koreans reach Southeast Asian destination after long trek through four countries

Radio Free Asia (22.10.2019)- <https://bit.ly/2ofrDLK> - A group of 13 North Koreans traveled through China and crossed the Mekong River into a Southeast Asian country at the weekend, ending a grueling two-month journey which spanned 6,000 kilometers (more than 3700 miles) in a quest for asylum in South Korea.

Among the group that reached the Southeast Asian destination on Saturday were a two-year-old girl and a 12-year-old boy, while the rest ranged in age between their teens and 50s. Their journey took them first through China, where they had to hide out for more than a week to avoid surveillance.

Through China and then Vietnam and Laos, they used 13 means of transportation and crossed seven mountains in the darkness of night before reaching the third Southeast Asian country, which could not be identified to protect the safety of the asylum seekers.

Their fates were uncertain even as they were crossing the Mekong on a tiny boat in the pitch black darkness, because they had no clear idea who they were supposed to meet once they crossed.

Once on the other side, they were met by officials from the South Korean human rights group Now Action Unity Human rights (NAUH), who had been searching for them.

Eight of the 13 left North Korea with the intent to travel all the way to the final Southeast Asian destination, while the remainder had first settled temporarily in China before joining the others, according to the asylum seekers who hope to be eventually resettled in South Korea told RFA's Korean Service.

A female member of the group, identified by the pseudonym Kim Jin-hye because she is concerned for her safety, told RFA's Korean Service she left North Korea in July because she was being forced to join the military and had to give up her dream of becoming a doctor.

"Should I say I am in distress [after this journey?]" Kim asked.

"It's only harder if you keep thinking about how hard it is. It wasn't hard for me because I kept thinking this is the only way I can achieve my dream and [secure] my future," she added.

Incompetence and corruption

Another woman in the group, in her fifties, identified by the pseudonym Lee Chun-hwa, said she decided to seek asylum because she hated the incompetence of North Korean authorities, who she said make strong crackdowns on minor infractions.

She also disliked the rampant corruption in North Korean society and said it was her wish to travel to other countries as she pleased. She said that even North Korea's rich are looking for ways to get out.

"People think that the state just drains money from us. It would be nice if the state would let us be in charge of our own business," said Lee.

"So it means that the people are all saying 'Let's leave. We will be able to be in charge of our own affairs in South Korea, We can enjoy freedom. Let's go look for our freedom there.' Many

of the rich people want to come because [the authorities] are giving them a hard time," Lee said.

After the NGO picked up the group, they spent one night in the third Southeast Asian country. They then boarded motorbikes to turn themselves in at the local police station. One of the them held a cell phone with the English phrase "I want go [sic] to South Korea." written phonetically in Hangul, the Korean alphabet.

Another female member of the group, identified as Lee Jung-sim, is the mother of the 2-year-old. Her 12-year old niece, small enough to pass for a much younger child, was also a part of the group. Lee's mother had escaped into South Korea 13 years ago.

"Now that I'm here, I break into tears just thinking of seeing my mother. It's been 13 years. I have tears just thinking about meeting her for the first time in 13 years," Lee said.

Before leaving for the police station, a 20-year-old member of the group identified as Park Soo-young vowed that the group would make something of their lives in South Korea.

"I'm so happy that you all helped us when we arrived and after all we've been through. Thank you to all who helped us," said Park.

"Because of you, we were able to make it here safely to prepare for our trip to South Korea. We will live our best lives in South Korea. We're not afraid. I know we're on the right path," she said.

'Tearful goodbyes'

Ji Seong-ho, founder of NAUH, who himself escaped North Korea in 2006, led the effort to rescue the 13.

He told RFA that many people that attempt to leave North Korea are arrested in China, as Beijing intensifies crackdowns on those who try to flee. He noted that the number of North Koreans fleeing to Southeast Asia has declined in recent years, but that many still make the journey hoping to escape to freedom.

Ji said the latest rescue was nerve-racking and moving.

"Everything's done. We were all so nervous and we were deeply moved - to tears," said Ji, adding, "There were also tearful goodbyes. But this is like a gateway to South Korea, a free country."

Southeast Asia is a popular destination for North Korean asylum seekers who usually request that they be given permanent resettlement in South Korea.

Based on previous cases, the 13 defectors are likely to be incarcerated for illegally entering the Southeast Asian country as they wait to be granted asylum.

They will undergo background checks and questioning by authorities, a process expected to last two months.

It was not immediately clear how the group were able to contact the NGO and arrange a spot to meet after crossing the Mekong, but usually NGOs are contacted by asylum seekers in China to get assistance in finding brokers that can help them reach Southeast Asia.

According to South Korea's Ministry of Unification more than 33,000 North Koreans have entered South Korea over the past several decades, including 546 as of June this year.

**Reported by Jungmin Noh for RFA's Korean Service. Translated by Leejin Jun.
Written in English by Eugene Whong.**

North Korean soldier defects across DMZ

By Eugene Whong

Radio Free Asia (01.08.2019) - <https://bit.ly/2ZkyfJ8> - A North Korean active-duty soldier crossed the military demarcation line (MDL) Wednesday night in the heavily fortified demilitarized zone (DMZ) into South Korea in an apparent defection.

South Korea's Joint Chiefs (JCS) of Staff Thursday said in a press briefing that the soldier was detected by thermal imaging at 11:38 p.m. near the Imjin river, which flows from the North to the South in the central and western part of the Korean peninsula.

At first, South Korean security forces were unable to identify what they had detected, but confirmed it was a person at 11:56 p.m. and troops stationed nearby took the soldier into custody.

"The person that we took into custody is an active-duty soldier, and he expressed his desire to defect to South Korea," said JCS Chief Kim Joon-rak during the briefing.

"Currently, identification and other related procedures are underway, so we will provide detailed information separately," he said.

South Korea's KBS News quoted a JCS official as saying "it was the first time since 2010 that a defector came by way of the Imjin."

It was the second time a North Korean crossed the DMZ with the intention to defect in eight months. On December 1, 2018 a North Korean soldier crossed over the armed land border in the eastern part of the peninsula.

One year prior to that event, a North Korean soldier ran south through the Joint Security Area in Panmunjom, getting shot by other North Korean soldiers. Despite being wounded, he successfully made it to the South, where South Korean guards found him. He was later taken to the hospital for gunshot wounds to an elbow and shoulder.

While defections by soldiers are rare, more than 30,000 North Koreans have made their way to South Korea in recent decades, and women make up the overwhelming majority. According to statistics kept by the South Korea's Ministry of Unification, in 2017 71% of all registered defectors living in the South were women.

Human Rights in North Korea: Special Issue 10 August

Provincial hospitals in North Korea suffering under unsanitary conditions.

09.08.19 - Under Kim Jong Un, North Korea has made some effort to modernize its medical infrastructure by expanding specialized facilities such as the Ryugyong General Ophthalmic Hospital and introducing a "long-distance medical system," similar to a remote medical service.

[Continue reading...](#)

North Korean man arrested for communicating with family member in China.

08.08.19 - A family member of a North Korean defector was recently arrested in the Sino-North Korean border region, Daily NK sources have reported.

[Continue reading...](#)

China detains 60 North Korean defectors, sends some back.

07.08.19 - China has detained about 60 North Korean defectors and begun repatriating them back to North Korea where they could face punishment, including execution, according to South Korean sources.

[Continue reading...](#)

Unable to pay bribe, North Korean mother and unborn child die at maternity hospital.

06.08.19 - Authorities in North Korea have censured a Pyongyang hospital for corruption after a pregnant woman at the hospital died because she was refused treatment when she could not pay a bribe to hospital staff.

[Continue reading...](#)

North Koreans in Vladivostok head for the suburbs to avoid Russian police crackdowns

23.07.19 - North Korean migrant workers in Vladivostok are leaving the city and heading for the suburbs to avoid crackdowns by Russian authorities.

[Continue reading....](#)

Human Rights Watch urges China not to repatriate seven North Koreans



A North Korean soldier stands next to a watchtower on the banks of the Yalu river near Sinuiju, April 14, 2017.

RFA (15.05.2019) - <https://bit.ly/2Mb8vJk> - Human Rights Watch (HRW) Tuesday urged China not to forcibly deport seven North Koreans currently in detention in Liaoning province, saying that if repatriated, the seven would face threats to their life or freedom.

The remarks were made in a statement by the New York-based NGO that said China should grant asylum to the group, which includes a 10-year-old girl, and allow them to travel safely to a third country.

"China should not send these seven people back to North Korea where they face torture, sexual violence, forced labor, and other horrors," said [Phil Robertson](#), deputy Asia director at Human Rights Watch.

"Beijing should immediately allow them to travel to a third country."

The seven were arrested on April 28 while hiding out just outside Shenyang in Liaoning Province.

North Koreans who escape the isolated state typically face harsh punishments if they are sent back. Penalties including incarceration are not reserved for the defectors themselves; often their family members are also punished.

According to HRW China is legally bound to help the seven, as it is a party to the 1951 Refugee Convention and its 1967 Protocol, and the 1984 Convention against Torture. Those statutes require that signatories agree not to forcibly repatriate those who would be persecuted or tortured if returned.

The statement highlighted previous incidents of forced repatriation from China in which the returnees were sent to prison camps for leaving the country, which is a criminal offense in North Korea.

The NGO said that a former senior official in the North Korean state security service who

had been assigned to deal with North Koreans who were forcibly returned from China told HRW that every returnee was tortured for information regarding their network of contacts outside of North Korea.

The prospect of what awaits forced returnees has even caused some detained North Koreans in China to commit suicide once they learn their fate.

“North Koreans who leave their country are caught in a horrendous cycle of physical and psychological violence, and I received information that some take their own lives when they find out that they are scheduled for repatriation,” said Tomás Ojea Quintana, the U.N. special rapporteur on human rights in North Korea in 2017.

But according to HRW, Beijing honors a 1986 bilateral border pact with Pyongyang that calls North Korean refugees caught in China “economic migrants” and mandates their repatriation.

“China should end its complicity with North Korean rights violations by ending the practice of forcing back fleeing North Koreans,” Robertson said in the HRW statement.

“China should protect these seven North Koreans, both complying with its international obligations and sending Pyongyang a message that it won’t ignore North Korea’s abuses,” he added.

Additional Reporting by RFA’s Korean Service.

North Korean construction worker in Russia hangs self in second suicide in a month



North Korean workers at a construction site in Vladivostok, Russia.

RFA (14.05.2019) - <https://bit.ly/2MaB9dh> - A North Korean worker dispatched to Russia committed suicide last week—the latest in a series of incidents of suicide by North Korean migrants sent to Russian construction sites to generate foreign currency for Pyongyang.

The migrant had been working at a site in Kemerovo Oblast, on the southern edge of the Siberian plain, but sources say that he hanged himself on May 6 after being unable to save money and facing the prospect of returning home empty-handed.

“[The worker] was dispatched to Russia [earlier] this year by a company affiliated with the North Korean military set up to generate foreign cash,” said a Russian citizen of Korean descent in an interview with RFA’s Korean service.

North Korea is in desperate need of foreign currency as it faces sanctions put in place by the U.N. and U.S. aimed at depriving Pyongyang of resources that could be funneled into its nuclear program, underscoring the importance to the regime of any remaining means to acquire funds abroad.

“The North Korean workers dispatched to Kemerovo city wear uniforms and have all their meals together, so it is very easy to identify them. [That is how we know] one of them committed suicide,” said the source.

The source noted that there have been several similar suicides by North Korean workers, including one last month in Vladivostok. Harsh conditions imposed on exported laborers by the North Korean government require that workers hand over a large percentage of their pay to Pyongyang, and on top of that, the companies handling the workers sometimes take an additional cut.

The government’s cut is not insignificant—A CNN report from January 2018 cited U.S. diplomats as saying that up to 80% of overseas workers’ earnings are funneled back to Pyongyang.

The source explained this forced “offering,” often leads to workers living in situations of great hardship and debt.

“After Kim Jong Un’s visit to Russia, workers expected North Korea to reduce the burden of the forced offerings so that they would have more income. But instead, the amount required in offerings has increased while available work has decreased, causing many workers to live in constant despair,” the source said.

The source said that despite the repeated incidents of suicide, “North Korean authorities have not improved the treatment of the dispatched workers.”

North Koreans are reportedly lured abroad by promises of higher pay. They dream of returning home with a large nest-egg and building a better life for themselves.

“In this case, the worker was about to return home empty-handed, so he became increasingly pessimistic [about his future]. After working so hard, he was not able to save any money,” said the source.

Sanctions have prevented the issuance of new working visas for North Koreans and mandated the return of all current North Korean workers abroad by the end of the year, but Pyongyang still appears to be able to send new workers to Russia on tourist or educational visas, which are only valid for a three-month period.

“In the past, [workers] were able to save money when they worked for three to five years on a working visa,” the source said.

"It is difficult to save money these days because every three months they have to spend their own money to leave and re-enter the country."

Another source, also a Russian citizen of Korean descent, revealed more details about the late migrant worker.

"[He] was a young man in his thirties with a bright future. [North Korean] workers are now becoming increasingly angry at the authorities for recklessly exploiting them," the second source said.

"North Korean authorities don't care about the lives of the workers. They only cry about achieving goals and collecting all the money. It seems like a modern version of slave labor," said the second source.

The second source also said that many of the dispatched North Korean workers were forced to work abroad as part of their mandatory military service.

"The North Korean workers at construction sites in Kemerovo all have long hair. They seem like ordinary workers but since the construction company is affiliated with the military, all the workers are active-duty soldiers," the second source said.

"North Korea is in such desperate need of foreign cash, they disguise their soldiers as civilians and send them to overseas labor sites," the second source said.

RFA attempted to contact the Oblast government and police in Kemerovo on Friday but received no reply.

According to CNN, in January 2018 an estimated 50,000 North Koreans were working in Russia – many in construction – in what the U.S. Department of State called "slave-like" labor.

Reported by Jieun Kim for RFA's Korean Service. Translated by Leejin Jun. Written in English by Eugene Whong.

Seoul in aid of food-starved North

Asia News (15.05.2019) - <https://bit.ly/2Q4aDkZ> - **The South Korean government takes up UN agencies appeal The Unification Ministry: "Food aid is an obligation, both from a humanitarian perspective and as a compatriot". Last year, North Korean agricultural production reached its lowest level since 2008. 40% of the population is in urgent need of food.**

South Korea believes that [food shortages in North Korea](#) are serious and that Pyongyang needs external assistance, despite media reports that rice prices are falling, says Lee Sang-min, spokesman for the Unification Ministry in Seoul.

Some media reports say that in recent times the cost of cereal in North Korean markets is dropping, suggesting that the country could avoid the food crisis feared by United Nations (UN) agencies. But Seoul denies the rumors. "We recognize the assessment made by the World Food Program (WFP) and the Food and Agriculture Organization (FAO) as official indicators and targets," says Lee Sang-min.

"Given the nature of the North Korean regime, it is thought that there are many limits to estimating the food situation there with (market) indicators other than official prices or those provided by official organizations," he added. "Our stance remains unchanged that

it is necessary to provide food from a [humanitarian and compatriots' perspective](#)".

Based on a visit to North Korea earlier this month, the WFP and FAO reported that last year's agricultural production in the country reached its lowest level since 2008, adding that around 10 million people, accounting for around 40% of the population, are in urgent need of food. Earlier this week, WFP executive director David Beasley expressed serious concerns about North Korea's food situation and urged Seoul to make additional donations.

Seven detained North Korean defectors in China face repatriation

Radio Free Asia (29.04.2019) - <https://bit.ly/2GQfu5i> - Seven North Korean defectors in China are facing forcible repatriation after being arrested by Chinese police last week, according to a South Korea-based North Korean human rights advocacy group.

Peter Jung, the founder of Justice for North Korea, issued a press release Monday saying that among the defectors was a nine-year-old girl surnamed Choi and her 32-year-old uncle surnamed Kang, and that all seven are to be repatriated.

North Koreans who escape the isolated state typically face harsh punishments if they are sent back. Penalties including incarceration are not reserved for the defectors themselves; often their family members are also punished.

The U.N. Commission of Inquiry on Human Rights in North Korea, a key 2014 study of the country's situation, has said that China's forced repatriations of North Korean migrants and defectors might amount to "aiding and abetting crimes against humanity."

Of the seven defectors now in Chinese custody, Jung said that his organization received a request to help them after they were arrested just north of the Yalu river, which separates China from North Korea.

He said they crossed the river earlier this month and were waiting to move to their next destination while hiding out just outside Shenyang in Liaoning Province.

The young Choi's mother, who lives in South Korea, contacted the South Korean consulate in Shenyang on Friday evening to tell them about the situation and ask the South Korean government to intervene.

"[She] visited South Korea's Ministry of Foreign Affairs and the Office of the United Nations High Commissioner for Human rights," said Jung.

"She is doing everything she can to save her daughter so she is physically and mentally exhausted," he said.

"We are seriously concerned about forced repatriation of North Korean defectors, especially [children like] Choi," said Jung.

Jung said he hoped South Korea and China's respective Ministries of Foreign Affairs would meet to discuss the situation, and that the South Korean government should do everything possible to help the defectors reach their desired destination safely.

He pointed out that Choi is a child and a refugee and should be protected under international law.

"Under the United Nations Convention on the Rights of the Child and the Convention on

the Status of Refugees, [China] should protect Choi and stop forced repatriation,” he said.

He also hoped that the defectors would be allowed to contact the UN Refugee Agency and that the agency would take action on their behalf. China has not permitted such contacts in the past.

South Korea’s Ministry of Foreign Affairs said it is analyzing the situation.

“We are taking necessary steps [and will act accordingly] as soon as we get a better grasp of the situation,” said a ministry spokesperson.

“Please understand that the details regarding North Korean defectors cannot be disclosed to the public in consideration of the safety of North Korean defectors and of the diplomatic relations with the host country,” said the spokesperson.

More than 30,000 North Koreans have made their way to South Korea in recent decades, including several senior diplomats.

Talking to North Korea: Ending the nuclear standoff

Author: Glyn Ford. Glyn Ford is Director of Track2Asia and a member of the Labour Party’s International Commission.

Pluto Press (09.2018) - <https://bit.ly/2XaIprP> - Despite recent attempts at negotiation, the attitudes of both Kim Jong Un’s regime and the West seem unchanged. North Korea is still shrouded in mystery and there are no clear plans for the future. Can we trust either side to bring about peace? And if so, how?

This provocative insider’s account blasts apart the myths which paint North Korea as a rogue state run by a mad leader. Informed by extraordinary access to the country’s leadership, Glyn Ford investigates the regime from the inside, providing game-changing insights. Acknowledging that North Korea is a deeply repressive state, he nonetheless shows that sections of the leadership are determined to end their isolation.

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Pyongyang informed the UN that it is facing a 1.4 million tonnes food shortfall

In January daily rations were cut from 550 to 300 grams per person per day. In 2018, food production was 4.95 million tonnes, 503,000 less than in 2017. North Korea blames UN sanctions for negatively impacting its agricultural sector. A second Trump-Kim summit is set for five days from now, centred on economics and denuclearisation.

AsiaNews (22.02.2019) - <https://bit.ly/2SUnhrl> - New York: North Korea has warned that it is facing a food shortfall of 1.4 million tonnes in 2019 and has been forced to almost halve rations, blaming high temperatures, drought, floods and United Nations sanctions.

The North Korean mission to the United Nations released a memo to the world body ahead of a second summit next week between US President Donald Trump and North Korean leader Kim Jong Un in Hanoi (Vietnam) on 27-28 February following the historic Singapore agreement eight months ago.

According to observers, the denuclearisation of the Korean Peninsula and North Korea's economic development will be at the centre of the talks between the two leaders.

The UN Security Council unanimously imposed sanctions on North Korea in 2006 in a bid to choke off funding for its nuclear and ballistic missile programs.

North Korea blames sanctions for restricting the delivery of farming materials and hindering fuel supply for the agricultural sector.

"The DPRK government calls on international organizations to urgently respond to addressing the food situation," read the North Korean memo.

It goes on to say that local food production last year was 4.951 million tonnes, 503,000 tonnes less than in 2017. The United Nations confirmed these figures as official government data provided at the end of January. The month before, North Korea admitted shortages in agricultural production.

North Korean authorities said it would import 200,000 tonnes of food and produce about 400,000 tonnes of early crops, but that it would still be left with a gap and that from January it would cut daily rations from 550 grams to 300 grams per person.

UN officials and aid groups in North Korea are consulting with the government to "further understand the impact of the food security situation on the most vulnerable people in order to take early action to address their humanitarian needs," UN spokesman Stephane Dujarric said on Thursday.

Dutch shipbuilder in dock over North Korean's Polish slave claims

A North Korean man is suing a Dutch shipbuilder he accuses of profiting from slave labor when he was employed in a Polish shipyard. The first case of its kind,

his lawyers hope it will open up more such cases.

By Jo Harper

Deutsche Welle (14.02.2019) - <https://bit.ly/2X0tW1T> - The first case in the Netherlands of worker exploitation involving a Dutch company for alleged crimes committed outside the country could be nearing an end in the coming weeks, lawyers said, and if successful may open the door to more such cases.

Barbara van Straaten, the lawyer representing a North Korean worker, said Dutch law criminalizes the act of profiting from exploitation. The name of the Dutch shipping company sued by the worker couldn't be disclosed for safety reasons, she added. Under the country's anti-trafficking law, offenders can be jailed for up to 18 years and face fines of €83,000 (\$95,000).

The plaintiff claims he was sent to Poland by the Pyongyang regime and forced to work 12-hour days for low wages in awful conditions. The lawyer did not say when this happened. Van Straaten's Amsterdam-based law firm, Prakken d'Oliveira, said the North Korean worked for the Polish company Crist. Crist received financial assistance from the European Regional Development Fund, a loan of €37 million in 2009.

Not a great precedent

The company first came under the spotlight in 2014, when a North Korean worker hired through a temporary Polish work agency called Armex died in an incident at the Crist shipyard.

The welder died when his clothes caught fire and was burned alive. Polish labor standards officials concluded he had been wearing flammable clothing provided by Armex, but were unable to prosecute as the man's documentation described him as self-employed and therefore outside Polish jurisdiction.

"We are not confident the Polish authorities would take this case as seriously as the Dutch one," van Straaten told DW. She said Polish labor authorities had failed in a previous case to prosecute a company where a North Korean worker had died in an accident at work, referring to the 2014 incident.

In 2007, Polish businesswoman Cecylia Kowalska set up Armex in Gdansk supplying electrical and welding services to local shipping and construction industries, and told reporters in November that when asked if she could manage 10 North Korean welders, her company took on the job.

She later began supplying North Korean welders to two other shipyards, run by Crist and Nauta, both companies that make war vessels for NATO members. A Polish labor inspection in February 2016 found 19 North Koreans working in a shipyard owned by Nauta, located next to the Crist shipyard.

Poland's online court register shows that Armex went into liquidation last year.

Crist denies culpability

Crist spokesman Tomasz Wrzask told DW he was not aware of the case or if Crist was involved. He told reporters in November that the shipyard previously worked with Armex, but ended collaboration in the summer of 2016.

"Armex had all the necessary permissions to operate in the EU and Poland and was under

the supervision of Poland's National Labor Inspectorate. We had no reason for suspicion," Wrzask said then, adding it was an "outrage" that Crist's name had been made public while the Dutch shipbuilder was not identified.

Van Straaten noted that North Korea was not party to the dispute which was directed at the Dutch shipbuilder. "This opens the possibility to hold those companies accountable which are not direct perpetrators in the labor exploitation, but which nonetheless knowingly profit from this exploitation, gaining high profits in the West at the expense of workers from developing countries," she said.

The law firm now hopes that the Dutch authorities have requested a European Investigation Order. An admission of guilt and a fine are among the outcomes the North Korean hopes for from this case, his lawyer said.

Damning evidence

Crist's involvement with North Korean laborers as well as conditions faced by North Korean laborers in Poland and Europe were detailed in a report published by the Leiden Asia Centre by Remco Breuker and Imke van Gardingen. Law firm Prakken d'Oliveira cited the research conducted in the "Slaves to the System" report as central to the case.

A Global Slavery Index published in July estimated that 40.3 million people globally were subjected to modern slavery in 2016. North Korea's Kaesong industrial complex is frequently criticized for keeping workers under slave-like conditions

The researchers identified three North Korean firms as providing laborers that were assigned by two Polish companies, Alson and Armex, to pass on to firms that needed cheap labor.

An earlier report by the Leiden Asia Centre found that as many as 800 forced laborers are in Poland working in the shipbuilding and construction sectors.

The 2016 report titled "North Korean Forced Labor in the EU, the Polish Case," showed that Armex had hired workers supplied by a North Korean company called Korea Rungrado Trading Corporation, which was run by a committee of the ruling Workers' Party of Korea. The company was sanctioned by the US in 2016 and accused of funding the department that oversees the country's nuclear weapons program.

A global problem

The Walk Free Foundation said that one in 10 people lived under such conditions in North Korea, the highest concentration in the world.

Tens of thousands of workers worldwide send foreign currency back to Pyongyang, which is used to offset the economic impact of UN sanctions that were imposed over North Korea's nuclear weapons program. The UN estimates that North Korea earns as much as \$2 billion a year from the workers it sends overseas.

Many North Koreans work in Polish shipyards, construction sites and farms, sending up to 90 percent of their salaries back to Pyongyang, according to the European Alliance for Human Rights in North Korea (EAHRNK).

HRWF Comment

See our statements on this issue at the OSCE/ODIHR Human Rights Implementation Meeting in Warsaw in 2018, 2017 and 2016:

- <https://www.osce.org/odihr/396293?download=true>
 - <https://www.osce.org/odihr/342706>
 - <https://www.osce.org/odihr/266761?download=true>
-

North Korea slams UN rapporteur over human rights comment

By Jung Da-min

The Korea Times (21.01.2019) - <https://bit.ly/2U7xHjO> - North Korea's party organ Rodong Sinmun on Monday criticized the U.N.'s Special Rapporteur of human rights Tomas Ojea Quintana's recent visit to South Korea, saying it triggered unnecessary conflict between the two Koreas.

"The U.N. Special Rapporteur on the situation of human rights in the DPRK (Democratic People's Republic of Korea) has interrupted inter-Korean relations and has attempted to create an artificial disability in its progress," its editorial said.

"The fact that he said inter-Korean cooperation and North Korean human rights issues need to be settled at the same time is actually an anti-DPRK evil scheme that also ruins the cooperative atmosphere between the two Koreas," the paper added.

Tomas Ojea Quintana visited Seoul from Jan. 7-11 to meet South Korean government officials and diplomats as well as recent escapees from North Korea.

Wrapping up his five-day visit, Quintana told the media that North Korea's human rights situation remained "extremely serious."

But the North's party mouthpiece said Quintana was distorting the reality of the country to intensify sanctions against the regime in a wider evil scheme to destroy it.

Quintana has been saying that although the talks on North Korea's denuclearization are important, the human rights issue should not be overlooked while the Korean Peninsula seeks peace.

NK diplomat in Italy unaccounted for since leaving NK embassy in November

Yonhap (03.01.2019) - <https://bit.ly/2VqYFUV> - A senior North Korean diplomat stationed in Italy has disappeared with his wife since he left the North's embassy in early November last year, South Korea's spy agency said Thursday.

Jo Song-gil, the North's acting ambassador to Italy, left the North Korean Embassy in Rome days before his term ended in late November, the National Intelligence Service was quoted as saying by Rep. Kim Min-ki, a ruling party lawmaker.

Earlier in the day, the JoongAng Ilbo, a Seoul-based daily, said the 48-year-old envoy

applied for personal security protection with the Italian government in early December as he is seeking asylum.

"The NIS has not attempted to contact Jo or not received any contact from him for the past two months," the spy agency was quoted as saying by Kim.

The agency also stopped short of confirming that Jo is attempting to gain asylum for a third country.

"We cannot confirm it," the NIS said in response to questions such as how many children the North Korean diplomat has or which country is protecting Jo and his wife, according to Kim.

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