

107TH CONGRESS  
1ST SESSION

# H. CON. RES. 213

Expressing the sense of Congress regarding North Korean refugees who are detained in China and returned to North Korea where they face torture, imprisonment, and execution.

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## IN THE HOUSE OF REPRESENTATIVES

AUGUST 2, 2001

Mr. ROYCE (for himself, Mr. BECERRA, Ms. ROS-LEHTINEN, Mr. PAYNE, Mr. SMITH of New Jersey, Mr. ROHRABACHER, Mr. GILMAN, Mr. KIRK, and Mr. HORN) submitted the following concurrent resolution; which was referred to the Committee on International Relations

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## CONCURRENT RESOLUTION

Expressing the sense of Congress regarding North Korean refugees who are detained in China and returned to North Korea where they face torture, imprisonment, and execution.

Whereas the Government of North Korea is controlled by the Korean Workers Party, which does not recognize the right of North Koreans to exercise the freedoms of speech, religion, press, assembly or association;

Whereas the Government of North Korea imposes punishments, including execution, for crimes such as attempted defection, slander of the Korean Workers Party, listening to foreign broadcasts, possessing printed matter that is

considered reactionary by the Korean Workers Party, and holding prohibited religious beliefs;

Whereas at least 1,000,000 North Koreans are estimated to have died of starvation since 1995 because of the failure of the centralized agricultural system operated by the Government of North Korea;

Whereas the combination of political, social, and religious persecution and the risk of starvation in North Korea is causing many North Koreans to flee to China;

Whereas between 100,000 and 300,000 North Korean refugees are estimated to be residing in China without the permission of the Government of China;

Whereas the Governments of China and North Korea have begun aggressive campaigns to locate North Koreans who are in China without permission and to forcibly return them to North Korea;

Whereas North Koreans who seek asylum in China are routinely imprisoned and tortured, and in some cases killed, after they are returned to North Korea;

Whereas the United Nations Convention relating to the Status of Refugees of 1951, as modified by the Protocol relating to the Status of Refugees of 1967, defines a refugee as a person 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”;

Whereas despite China’s obligations as a party to the United Nations Convention relating to the Status of Refugees of 1951 and the Protocol relating to the Status of Refugees

of 1967, China routinely classifies North Koreans seeking asylum in China as mere “economic migrants” and returns the refugees to North Korea without regard to the serious threat of persecution faced by the refugees after their return;

Whereas the Government of China does not provide North Koreans whose asylum requests are rejected a right to have the rejection reviewed prior to deportation despite the recommendations of the United Nations Convention relating to the Status of Refugees of 1951 and the Protocol relating to the Status of Refugees of 1967 that such a right be granted; and

Whereas the Government of China recently permitted the United Nations High Commissioner for Refugees to resettle 7 North Korean refugees in South Korea: Now, therefore, be it

1        *Resolved by the House of Representatives (the Senate*  
2 *concurring), That Congress—*

3            (1) encourages the Government of China to  
4        honor its obligations under the United Nations Con-  
5        vention relating to the Status of Refugees of 1951,  
6        as modified by the Protocol relating to the Status of  
7        Refugees of 1967, by—

8            (A) making genuine efforts to identify and  
9        protect the refugees among the North Korean  
10       migrants encountered by Chinese authorities,  
11       including providing the refugees with a reason-  
12       ably opportunity to request asylum;

1 (B) providing North Korean refugees re-  
2 siding in China with a safe asylum;

3 (C) halting the forced repatriations of  
4 North Korean refugees seeking asylum in  
5 China;

6 (D) allowing the United Nations High  
7 Commissioner for Refugees to have access to all  
8 North Korean refugees residing in China; and

9 (E) cooperating with the United Nations  
10 High Commissioner for Refugees in efforts to  
11 resettle the North Korean refugees residing in  
12 China in other countries; and

13 (2) encourages the United Nations High Com-  
14 missioner for Refugees to facilitate the resettlement  
15 of the North Korean refugees residing in China in  
16 other countries.

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