



Congressional-Executive Commission on China
Hearing remarks of Chairman Chris Smith (R-NJ)
“North Korean Refugees and the Imminent Danger of Forced Repatriation from China”
Washington, DC—June 13, 2023

This hearing—on the desperate plight of North Korean refugees who face imminent danger of forced repatriation from China—will come to order.

Some of you may have crossed the Potomac River to attend this hearing today. It flows aside our nation’s capital past many iconic landmarks. For those who are currently watching this hearing from South Korea, the Han River flowing through Seoul likewise holds tremendous historical, cultural, and economic importance.

However, for many North Koreans who brave the treacherous journey across the Yalu and Tumen Rivers—natural borders between North Korea and China—those rivers represent only sorrow and terror. These rivers have been their only means of escape from the world’s cruelest family dictatorship, necessitating desperate crossings by small boat, swimming directly or walking across frozen waters amid the bitter Korean winter—all while knowing that an alert border guard with shoot-to-kill orders could end their lives in an instant.

Even after successfully crossing the Yalu or Tumen Rivers, the plight of a North Korean refugee can rapidly take a turn for the worse. Startling estimates indicate that up [to 80% of female](#) North Korean refugees become victims of human traffickers, who exploit them in the lucrative sex trade industry. It is believed that this illicit trade generates [over \\$105 million annually](#) for North Korean and Chinese criminal networks.

The lucky ones try to remain hidden. According to a recent report [by Global Rights Compliance](#), an international human rights law firm, there are approximately half a million female North Koreans, some as young as 12, hiding in border regions. For if they are discovered, they face the likelihood of forced repatriation—or to use the technical term, “refoulement”—to North

Korea.

Today's hearing is especially timely because we have good reason to believe that such repatriation is imminent, as North Korea reopens its border following its extended closure in the wake of the COVID-pandemic.

It is [reported](#) that approximately 2,000 North Korean refugees are awaiting imminent forced repatriation, which would subject them to severe human rights violations upon their return to North Korea, some of which we will hear about in testimony from our witnesses.

I shared this deep concern regarding the perilous situation of North Korean refugees in China directly with António Guterres, the Secretary-General of the United Nations, when he visited my office on April 27. I believe that while there are limits to what our government and the South Korean government can do to influence Chinese decision-making in this regard, the UN is well-positioned to use its influence, given how much the Chinese government seeks validation from, and indeed seeks to influence, the United Nations system.

So I ask again, Secretary-General Guterres, please use your influence to the utmost to dissuade the Chinese government from forcibly repatriating these refugees.

It is also extremely important that the United Nations High Commissioner for Refugees (UNHCR) Filippo Grandi take on a more active role on behalf of these refugees.

One of our highly distinguished witnesses today, Ambassador Jung-Hoon Lee, points out that "The legal tools are there for the UNHCR to do more for the North Korean Defectors. The UNHCR concluded a bilateral agreement with China in 1995 that granted the UNHCR's staff in China unimpeded access to refugees within China. Determining who is a refugee requires interviewing the prospective asylum-seekers. With China strictly preventing UNHCR access to North Koreans near the border, the process towards refugee recognition has been completely thwarted. The forcible repatriation of North Koreans seeking refuge in China is a blatant breach of Beijing's obligations under the 1951 UN Convention Related to the Status of Refugees and its 1967 Protocol."

On May 30, the UN Committee on the Elimination of Discrimination Against Women, issued [its Findings of their review of China](#), calling for unrestricted access by the UNHCR and

relevant humanitarian organizations to victims of trafficking from North Korea in China. CEDAW has also recommended that China regularize the status of North Korean women who face human rights violations such as forced marriage and human trafficking, and refrain from cracking down on them due to their undocumented status.

Against this moral pressure, however, are malign incentives—both political and economic—for the People’s Republic of China to repatriate refugees to North Korea. North Korea and its dictator Kim Jong Un view those who flee the dictatorship as traitors, which gives China a political incentive to placate a Communist ally which remains a thorn in the side of the United States and our allies. Economically, a written submission for this hearing which I ask to be entered into the record from Citizens’ Alliance for North Korean Human Rights (NKHR), a human rights NGO based in Seoul, sheds light on the disturbing economic incentives that China has in forcibly repatriating these refugees. According to their ongoing investigation, “There is a high probability that a portion of products originating from North Korea but produced for Chinese companies have been made in prisons detaining repatriated North Korean refugees from China using forced labor and other human rights violations.” This suggests that businesses in China are profiting from the exploitation of repatriated North Korean refugees, an issue that demands thorough investigation and accountability.

There is of course a role that both the South Korean government, and our government, and indeed Congress and this Commission can play.

The CECC does report on the situation of North Korean refugees in China in its annual report— and this year will likely issue a standalone report on the issue—while today’s hearing is an example of how we can bring attention to this impending humanitarian disaster. I myself have chaired seven congressional hearings on North Korean human rights, and I have also introduced new legislation—[H.R. 638, the China Trade Relations Act of 2023](#)—that withdraws China’s Permanent Normal Trade Relations (PNTR) status unless there are substantial and sustained improvements in human rights—including how it treats refugees within its borders.

The refugees in question are not mere statistics; they are individuals with inherent rights, hopes, dreams, and aspirations. China has failed to confront the human traffickers who prey on vulnerable North Koreans. If Beijing wishes to be recognized as a true leader in the global community, it must not be complicit in the plight of North Korean refugees in China who are under

imminent danger of repatriation.

Human rights transcend mere privilege; they are an inherent entitlement. We cannot turn a blind eye to China's complicit and flagrant violations of human rights.

I eagerly anticipate exploring further avenues of collaboration—including with the Government of South Korea—to emphasize the significance of this issue as we explore our policy options through your testimonies.