

# LIVES FOR SALE

---

*Personal Accounts of Women  
Fleeing North Korea to China*

Committee for Human Rights in North Korea

# The Committee for Human Rights in North Korea

(affiliations provided solely for identification)

**Richard V. Allen**, Co-chairman,  
Senior Fellow, Hoover Institution  
Former National Security Advisor

**Stephen Solarz**, Co-chairman,  
Former Member, U. S. House of Representatives

**Suzanne Scholte**, Vice-chairman,  
President, Defense Forum Foundation and Seoul  
Peace Prize Laureate

**Helen-Louise Hunter**, Secretary,  
Attorney and author, *Kim Il-Song's North Korea*

**Chuck Downs**, Executive Director,  
Author, *Over the Line: North Korea's  
Negotiating Strategy*

**Morton Abramowitz**,  
Senior Fellow, the Century Foundation

**Jaehoon Ahn**,  
Freelance Journalist and former Director of the  
Korea Service, Radio Free Asia

**Roberta Cohen**,  
Non-Resident Senior Fellow, Brookings Institution,  
specializing in humanitarian and human rights issues

**Lisa Colacurcio**,  
Executive, UBS Tokyo

**Rabbi Abraham Cooper**,  
Associate Dean of the Simon Wiesenthal Center,  
Los Angeles

**John Despres**,  
Consultant, international financial and strategic affairs

**Nicholas Eberstadt**,  
Henry Wendt Chair in Political Economy at the  
American Enterprise Institute, and author of  
numerous books, including *The End of North Korea*

**L. Gordon Flake**,  
Executive Director of the Mike and Maureen Mansfield  
Foundation, and co-author, *Paved with Good  
Intentions: the NGO Experience in North Korea*

**Carl Gershman**,  
President of the National Endowment for Democracy

**Fred Iklé**,  
Former Under Secretary of Defense (Policy) and  
former Director, Arms Control and Disarmament  
Agency and the author of numerous books

**Steve Kahng**,  
General Partner, 4C Ventures, Inc.

**Thai Lee**,  
President, SHI International, Inc.

**Debra Liang-Fenton**,  
U.S. Institute of Peace and Former Executive Director,  
Committee for Human Rights in North Korea

**James Lilley**,  
Former Ambassador to China and to the Republic  
of Korea, author of *China Hands: Nine Decades of  
Adventure, Espionage and Diplomacy in Asia*

**Andrew Natsios**,  
Walsh School of Foreign Service,  
Georgetown University,  
Former Administrator, USAID, and author,  
*The Great North Korean Famine*

**Marcus Noland**,  
Peterson Institute, and author of numerous books  
including *Avoiding the Apocalypse: the Future of the  
Two Koreas*

© 2009 Committee for Human Rights in North Korea  
Designed by Stewart Andrews, Noodlebox Design, LLC

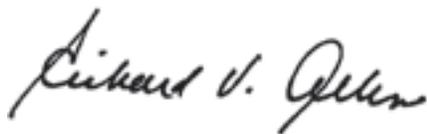
## Acknowledgments

This report was supported by contributions from members of the Board of the Committee for Human Rights in North Korea who realized that the highly visible refugee crisis in China during the 1990s hid a more obscure phenomenon—the trafficking of North Korean women. With funding from Thai Lee, Lisa Colacurcio, and Steve Kahng, the Committee was able to hire a dedicated human rights activist, Hae-young Lee, to contact women who appeared to have been victims of trafficking and interview them in China near their homes. The accounts that she recorded and her findings from these interviews are presented in two chapters of this report. The policy analysis, legal argument, conclusions and recommendations, are exclusively the views of the Committee for Human Rights in North Korea which is grateful to Hae-young Lee, her colleague Dae-gyo Seo, and the women who were courageous enough to talk with them, for the light they have shed on this very dark corner of human suffering. Responsibility for the overall report and its recommendations lies with the Committee alone.

A number of Board members have contributed long hours to guiding the research and writing of this report. Board members providing such valuable comments included Richard V. Allen, Roberta Cohen, Lisa Colacurcio, John Despres, Helen-Louise Hunter, Debra Liang-Fenton, Marcus Noland, and Suzanne Scholte. The advice and counsel of an internationally-recognized expert on displaced peoples, Roberta Cohen, was especially critical. The research was originally conceived and managed by Debra Liang Fenton, then executive director of HRNK, through its completion in May 2007. The legal analysis and a good portion of the editing of the entire report is the fine work of HRNK's legal researcher, Heesug Chung. Amanda Wood of the National Endowment for Democracy and interns at HRNK, including Christopher Kim, Min-soo Kim, and Narae Yim in the past year, and others in earlier years, generously gave their time to this effort. We are especially grateful for the comments of a number of editors and reviewers, including Sarah Jackson-Han, Stephan Haggard, and Maura Kennedy.

The Board especially commends and expresses its gratitude to our colleague and Executive Director, Chuck Downs, for his unstinting effort and special skill in bringing this report to print.

On behalf of the Board,



Richard V. Allen  
Co-Chairman



Stephen J. Solarz  
Co-Chairman



Map layout and design by Christopher Kim using open source media

Map of Border Provinces in China

# Table of Contents

- I. Executive Summary .....9
  
- II. Historical Context: The Crisis in Northeast Asia Since the 1990s .....11
  
- III. Findings from Interviews of North Korean Women in China Between 2004-2006 .....17
  
- IV. Personal Accounts of Women Fleeing North Korea to China .....28
  
- V. Policies that Neglect the Rights of North Korean Women in China .....50
  
- VI. Conclusions .....61
  
- VII. Recommendations .....62

**NOTE:** In this report, for the safety of those who spoke with us, real names and the detailed locations of their current residency are not revealed. In the photographs, every effort has been made to obscure the individuals’ identities; accordingly, the blurred sections of the photographs are intentional. HRNK is grateful to Ahreum Kim for her work in editing these photographs. Unless otherwise indicated, the original photographs were taken by Hae-young Lee and her colleagues.

## **Earlier Reports of the Committee for Human Rights in North Korea**

*The Hidden Gulag: Exposing North Korea's Prison Camps – Prisoner's Testimonies and Satellite Photographs*, David Hawk, 2003

*Hunger and Human Rights: The Politics of Famine in North Korea*, Stephan Haggard & Marcus Noland, 2005

*The North Korean Refugee Crisis: Human Rights and International Response*, ed. Stephan Haggard & Marcus Noland, 2006

*Failure to Protect: a Call for the UN Security Council to Act in North Korea* (jointly published with DLA Piper and the Oslo Center), October 30, 2006

*Legal Strategies for Protecting Human Rights in North Korea*, (jointly published with Skadden, Arps, Slate, Meagher & Florn LLP & Affiliates), November 28, 2007

### **Committee for Human Rights in North Korea**

1725 Eye (I) Street, NW, Suite 300

Washington, D.C. 20006

[www.hrnk.org](http://www.hrnk.org)

(202) 349-3830

## Foreword

This report calls the world's attention to the suffering of North Korean women who have become the victims of trafficking and forced marriages when escaping their country for a new life in China. Not only are the political and economic rights of these women neglected by their own government, but also by the government of their country of asylum. Too often the failure of both North Korea and China to protect them has been overlooked by the international community.

Women represent the majority of North Koreans who flee into China. One of the reasons they cross the border is lack of sufficient food or the means of survival in their own country. For almost twenty years, famine has stalked North Korea. It reached its peak in the mid-1990s but remains a specter, and may reach crisis proportions again. Caused largely by government policies, combined with natural disasters, the famine of the 1990s killed and displaced millions of North Koreans. Women of the classes defined by the regime as politically disloyal became especially vulnerable when husbands and fathers died, and they began to flee to China in search of food and economic opportunities for themselves and their families. Unauthorized departure, however, is a crime in North Korea. Although seeking opportunities in China, they instead became victims of traffickers and victims of men in China who paid traffickers to purchase a North Korean "wife."

The "marriages" the women enter, often through coercion, have no official standing in China and are given no legal protection. The women in these marriages are frequently "trapped," unable to free themselves from arrangements in which they were sold for a price. They also live in fear of being returned to North Korea where they can expect incarceration, punishment, and even possible torture and death. Yet they are not permitted to prove they are political refugees or *refugees sur place*. Instead, they must bear exploitation and insecurity in China so as to avoid forced repatriation and punishment. Even when they are sold to partners who do not abuse them and raise families, they are still denied their basic rights. They and their children often have no legal status. Children conceived in China are usually not protected by the laws of either China or North Korea.

The interviews in this report make clear the difficult choices facing North Korean women who describe in their own words what has happened to them. "They would not allow me to leave the house," one woman recounted, "then someone from Yanji came to take me to Heilongjiang Province by train. Only when we arrived in a village in Heilongjiang did I hear I was going to get married." Another recalled, "I ran away from the house, not knowing where to go. Within a few hours, I was caught and brought back by the Chinese man. He took out his leather belt and whipped me." One woman who was forcibly returned to North Korea and escaped again to China said, "I was interrogated and detained for four weeks. During the interrogation, the man who was asking me questions suddenly punched me in my left eye with his fist. My eyeball cracked and I lost eyesight in that eye immediately..."

These are stories of human suffering that have received far too little notice in the world at large. The human rights abuses of the North Korean regime, increasingly made known by news accounts, reports of the United Nations Secretary-General and Special Rapporteur, defectors, and organizations like ours, are beginning to be understood and condemned internationally. What is often ignored, however, is that these abuses do not stay in the confines of North Korea but spill over into neighboring countries, and inflict pain on the lives of North Korean citizens outside their borders. Often overlooked too are the special needs of North Korea's women and the desperation many face. This is a report about women whose lives are at risk and for sale. It makes recommendations for change. We urge that these recommendations be widely read and acted upon.

Because it is a report about women, the women on the Board of HRNK take particular pride in the publication of this report and are hopeful that it will not only focus attention on the grievances suffered by North Korean women in China but galvanize the world to seek redress for the injustices inflicted upon them.

Roberta Cohen

Lisa Colacurcio

Helen-Louise Hunter

Thai Lee

Debra Liang-Fenton

Suzanne Scholte

## Executive Summary

When famine struck North Korea in the mid-1990s, it touched off an exodus to China that has continued since then, albeit at a slower pace. North Korea's northeastern provinces were hit hardest by famine, leaving many desperate to survive, and the Chinese provinces adjacent to these areas ended up with the majority of those who fled North Korea. Women were particularly vulnerable. Famine is a continuing specter in North Korea, and it may reach crisis proportions again.

Driven by despair to leave their home country, North Korean women are in demand in the poor areas of Northeast China, and a huge Korean-Chinese population there plays a large role in the lives of North Korean women who cross the border. Demographics are lopsided in the rural areas of China, with more men than women. In one area, the male-female ratio among those of marriageable age is estimated at a staggering 14-1.<sup>1</sup> Because there are few women of marriageable age in some rural areas, Chinese men pay large sums of money to purchase North Korean women, sometimes even putting themselves deeply in debt. As women are a commodity with a high price, they fall prey to traffickers—middlemen who will purvey them from their desperation to their bondage for monetary gain. The price the women bring becomes a bounty for their acquisition. Traffickers seek out the hapless victims of the North Korean regime's neglect and entrap them into abuse and exploitation in China.

While North Korean women fill a vacuum in Chinese society, however, the Chinese government does not treat them as though they are welcome. It defines them as “illegal economic migrants,” and sometimes sends them back to North Korea where they are punished because their homeland views them as traitors and criminals. North Korean women, even in the land of their asylum, are extremely vulnerable to exploitation.

In spite of finding places to live in China, the North Korean women who flee seldom find safety. On the Chinese side of the Tumen River, they enter a maze of entrapping political and social difficulties that threaten not just the North Korean women themselves but also their children. The food and shelter they find enable them to survive, but instead of the comparative prosperity they hoped to find in China, many become immersed in continued poverty, indebtedness, and misery. When they attempt to re-build their lives with Chinese “husbands,” they can end up secluded and abused. Without effective legal protection, they are vulnerable to abuse and are aware that they can be turned over to authorities and sent back to North Korea.

They are, we argue, victims of trafficking in the way that term has come to be defined by international law. Contrary to stereotypes, however, most of the North Korean women in China are not trafficked into sexual slavery. More often they are trafficked into forced marriages.

To gain insight into this phenomenon, the Committee for Human Rights in North Korea provided support to a South Korean human rights specialist—Hae-young Lee. Through a series of trips to China sponsored by HRNK, she was able to interview North Korean women in their own language, and write down their stories. Her interviews with North Korean women living in China—most victims of forced marriages and other forms of trafficking—vividly illustrate how a combination of policy and practices on both sides of the border has created an ever widening web of exploitation and degradation of vulnerable women and their children.

This may be especially true of those who marry, whether their *de facto* marriages are forced or voluntary. As mentioned above, many face poverty aggravated by their husbands' debts. Those

<sup>1</sup> Joel R. Charny et al., *Acts of Betrayal. The Challenge of Protecting North Koreans in China*, (Washington, D.C.: Refugees International, 2005) UNHCR Refworld, available online at: <http://www.unhcr.org/refworld/docid/47a6eba50.html> [accessed 9 April 2009]

debts stem at least in part from fees paid for the women, which sometimes equal several years' income. They live primarily in three rural provinces in northeast China that have not benefited from China's economic boom. The men who remain in these provinces are often those who lack either the initiative or the ability to seek better opportunities elsewhere. In some cases, differences in language and sometimes great disparities in age put additional stress on marriages.

The hardships encountered by North Korean women in China may actually increase as the years pass. Their marriages are not legally recognized by the Chinese government. These women have no protection from repatriation to North Korea, where they can expect incarceration, punishment and in some cases severe ill-treatment. If they can avoid repatriation, they can expect further exploitation and insecurity in China. Women who try to leave abusive marriages may subject themselves to potentially worse outcomes.

The children of such marriages often have difficulties in obtaining legal status due to the irregular status of their North Korean mothers. Children born to them while in China are not protected by the laws of either China or North Korea.

Whether or not these women were refugees at the time they escaped the political system of North Korea, they should be protected from refoulement, simply because they will be persecuted for having left if they are returned. Arguably, they become *refugees sur place* according to international law. Yet in spite of international protests, China has refused to allow the UN High Commissioner for Refugees (UNHCR) access to determine the status of the North Koreans. When they are returned by Chinese authorities to North Korea, they receive punishment in prison camps and detention facilities. This is the North Korean regime's means of dealing with people who express their disloyalty with their feet, but it applies equally severely to those who held no particular political view and merely sought food, sustenance, and a better life. While China dismisses these people's claim to being refugees—fleeing their homeland for political rather than economic reasons—North Korea sees it almost exclusively that way.

Seventy-seven interviews with North Korean women living in China yielded 53 personal accounts—life stories that provide insight into the scope of the challenges they have endured and the new problems that have emerged for them at every turn. Moreover, the reader can see how these women, and their children, remain trapped in this maze of inhumanity.

As troubling as the testimony of these eyewitnesses is, it is important to note that these interviewees are, in many respects, among the fortunate women of North Korea. They survived North Korea's famine. They are not the ones who perished or were shot as they tried to cross the rivers that form the boundary between North Korea and China. They are not the ones who were repatriated to North Korea and never made their way back to China. They are also, in all likelihood, not the ones who faced the most gruesome treatment meted out by traffickers. These are the women who lived to tell the story of their predicament to an outsider whom they were willing and able to trust.

The interviewees who talked with Hae-young Lee were free enough and confident enough to do so. As bad as their stories are, we can only imagine that there are others whose unspoken stories are so much worse. They may be imprisoned in homes across China, unable to leave, unable to speak out, unable to find health care, unable to talk with anyone in their own language, and certainly forbidden from talking to outside interviewers. The difficulties described in these pages may only be the tip of an iceberg, and the human misery it represents may be more severe, not only in terms of numbers but also in the nature of their suffering.

## Historical Context: Northeast Asia since the 1990s

Following the huge outflows of people from North Korea to China in the 1990s, the Committee for Human Rights in North Korea (HRNK) undertook to study the nature of this situation, its root causes, and the policy problems it posed for governments involved. This earlier study provided the general background for our current assessment of the specific problems faced by North Korean women in China.

In the mid-to-late 1990s, large numbers of North Koreans began crossing into China as North Korea slipped into famine and North Korea's central control began to fray, particularly in the northeastern provinces bordering China. Most were farm workers and working-class people from the northeastern provinces. Yoonok Chang and 48 interviewers she trained took testimony from 1,346 North Koreans from August 2004 to September 2005 in Shenyang, Changchun, Harbin, Yangbin, Tumen, Helong, Hunchun, Dandong, Jilin, Tonghua, and Wangqing. Their findings were presented in HRNK's report co-edited by Stephan Haggard and Marcus Noland, published in 2006, and entitled The North Korean Refugee Crisis: Human Rights and International Response.<sup>2</sup> The following provides a partial summary of the findings.

### The Conditions They Fled: Lack of Food

It is now clear how much the North Korean regime depended on external support from the Soviet Union and China. While economic conditions began to deteriorate in the late 1980s, the collapse of the Soviet Union and China's demand for cash in its trade with North Korea caused North Korea's economy to shrink and it has never fully recovered. By the mid-1990s, the regime was unable to feed its people. A famine claimed perhaps 3-5 percent of the population (600,000 to 1 million people).<sup>3</sup>

With the state unable to provide food, people turned to friends, family, and small markets for food and other essential goods. As unemployment swelled, many began to engage in small-scale entrepreneurial behavior, technically criminal activities in the socialist state. Such activities included barter and trade with counterparts in China, primarily to secure food. These developments occurred largely in the absence of any well-defined rules, and depended in part on officials "looking the other way" as people did what they needed to do to survive.

Before the famine, everyone in North Korea, with the exception of farmers in cooperatives, depended on the Public Distribution System (PDS) for basic food rations. Rations were distributed on a gram-per-day per person basis, according to occupation. Access to state food supplies—including domestic agricultural production, imports, and aid—was determined by status, with priority given to government and ruling party officials, important military units and urban populations, in particular residents of the capital, Pyongyang. But the famine resulted in a collapse of domestic food supplies and the PDS could reportedly supply only 6 percent of the population by 1997.

One of the regime's responses to the famine was a delayed appeal for outside assistance. By the late 1990s, foreign donors were feeding at least one third of the North Korean population, primarily

<sup>2</sup> A report of the Committee for Human Rights in North Korea: Haggard and Noland, eds., *The North Korean Refugee Crisis: Human Rights and International Response* (Washington, D.C.: 2006) Available online at: [www.hrnk.org](http://www.hrnk.org) Hereinafter cited as "HRNK Refugee Report" often with additional notes regarding individual authors' chapters in that report.

<sup>3</sup> A report of the Committee for Human Rights in North Korea: Haggard and Noland, *Hunger and Human Rights: The Politics of Famine in North Korea* (Washington, D.C.: 2005), p. 23. Hereinafter cited as "HRNK Famine Report."

through the United Nations World Food Program, but much of this food did not reach those who needed it most.<sup>4</sup>

Understanding the impact of the famine was impeded by the closed nature of the North Korean system, which foreclosed access even to official data and the normal channels of academic inquiry. Estimates of the death toll varied widely from the North Korean government's quasi-official figure of 220,000 to an estimate of 3.5 million by the South Korean NGO, "Good Friends."<sup>5</sup> As in other famines, most of these excess deaths were indirectly due to starvation. As caloric intake falls, immune systems weaken and people typically succumb to diseases such as tuberculosis before starving to death; both the young and the old are particularly susceptible.<sup>6</sup>

## The Conditions They Fled: Lack of Rights

The northeastern provinces of North Korea are considered to be North Korea's "Siberia." Defectors say that political dissidents were often forcibly moved there. As Andrei Lankov wrote for an HRNK report, "North Hamgyŏng province has little political clout and has been widely used as a place to settle politically 'less reliable' social groups."<sup>7</sup> People living in this inhospitable region may well be considered the regime's most disenfranchised citizens.

The North Korean regime adheres to a rigid type of caste system called *songboon*, in which gradations of loyalty to the regime is a determining factor of every person's status. The regime has instituted a series of classifications, dividing the population into a core class of reliable supporters, the basic masses, and the "impure" class. Those lucky enough to be considered "core" supporters of the government, such as party members or families of war martyrs, receive preference in education and employment, are allowed to live in better-off areas, and have greater access to food and other material goods. Those with a "hostile" or disloyal profile—such as relatives of people who collaborated with the Japanese during their occupation, landowners, or those who went south during the Korean War—are subjected to a number of disadvantages, assigned to the worst schools, jobs, and localities, and sometimes wind up in labor camps.

People within the lowest classifications of *songboon* might well have an inclination to leave North Korea more readily than those from more privileged classes, and this may constitute one of the reasons why most refugees come from North Korea's Northeast provinces. Another obvious reason is proximity: Those living closer to the border have less distance to travel. North Korea's internal travel restrictions are severe, and people who venture away from their assigned areas risk not only harassment and mistreatment but also imprisonment. The provinces of the northeast were hit hardest by the famine and food shortages of the 1990s.<sup>8</sup> In spite of this, or perhaps because of it, North Korean authorities refused the World Food Program access to many of the counties in the Northeast even at the height of the food crisis.

---

<sup>4</sup> HRNK Refugee Report, p. 26.

<sup>5</sup> Good Friends Center for Peace, Human Rights, and Refugees, *Human Rights in North Korea and the Food Crisis* (Seoul: 2004), p. 14.

<sup>6</sup> HRNK Famine Report, p. 18.

<sup>7</sup> HRNK Refugee Report, p. 56.

<sup>8</sup> *Ibid.*, p. 17.

## The Choice They Made: Leaving North Korea, Going to China

The decision to flee North Korea is not a trivial one, particularly given the harsh penalties on both sides of the border. Refugees consider leaving their homeland for diverse reasons, some having to do with wanting to leave (“push” factors), and others having to do with perceived opportunities in the target country (“pull” factors). But even if there are good reasons to cross the border, the actual act of migration requires difficult assessments regarding resources, planning, and advice, whether from friends, family, or traffickers. Networks and connections enable refugees to leave in the first place and seem to provide them with at least some hope of sustaining themselves on the other side of the border.

Over the years, a fuller understanding has developed of the motivations for North Koreans deciding to cross the border into China. Early interviews with refugees from the famine period and immediately after found not surprisingly that hunger and the search for food was a major push factor.<sup>9</sup> By 2002, however, a Human Rights Watch report found that hunger was just one motive for flight; others included loss of status, frustration over lack of opportunities, political persecution due to family history, and the wish to live in similar conditions as other North Koreans who live outside of North Korea.<sup>10</sup> Following others who had already left was yet another motive.<sup>11</sup>



The Tumen River running between North Korea and China.

People in North Korea know very little about living standards and conditions in China. They suffer near total suppression of their rights to freedom of information, expression, and association. All forms of cultural and media activities are under the tight control of the government.<sup>12</sup> News stories in the official radio and television broadcasts are heavily censored. North Koreans who own radios or television sets are often monitored to ensure that they do not listen to South Korean or Chinese radio broadcasts or see “illegal” foreign television programs. Foreigners visiting North Korea might be a source of information, but they are accompanied by official “minders” throughout their visits and are not allowed to interact with ordinary North Korean citizens. Under such circumstances, little outside information reaches the public; it is unsurprising that

<sup>9</sup> Good Friends Center for Peace, Human Rights, and Refugees, *Tumangang-ül Künnūon Saramodül (People Who Have Crossed the Tumen River)*(Seoul: Jungto Publication, 1999), p. 14.

<sup>10</sup> Human Rights Watch, *The invisible Exodus: North Koreans in the People's Republic of China* (New York: 2002) Available online at: <http://www.hrw.org/legacy/reports/2002/northkorea/norkor1102.pdf> [accessed 9 April 2009]

<sup>11</sup> Keumsoon Lee, “The Border-Crossing North Koreans: Current Situations and Future Prospects,” *Studies Series* 06-55 (Seoul: Korea Institute for National Unification, 2006), Table 1.

<sup>12</sup> For overviews of the human rights situation in North Korea, see A report of the Committee for Human Rights in North Korea, *Failure to Protect: A Call for the UN Security Council to Act in North Korea* (Washington, D.C.: DLA Piper and the Oslo Center, 2006) and its update of September 2008, both available at: [www.hrnk.org](http://www.hrnk.org)

for a vast majority of the refugees “word of mouth” (including rumor and myth) is their primary source of information.

What people in North Korea do know all too well is that their government discourages them from trying to go to China. They know they must do so in secrecy. Human Rights Watch reported in 2007 that North Korean officials took pains to lecture people not to cross over to China. One person told them he attended two days of People’s Committee Meetings in Heoryung City before crossing the river: “The authorities made people submit a written promise that they won’t cross the border, and their entire families will be forcibly relocated should they break the promise.”<sup>13</sup> They know the risks for those who migrate are substantial. North Koreans face legal punishment from the country they leave and the country they enter. Yet they decide the risk is worth taking.

## The Risks They Took

“Everyone shall be free to leave any country, including his own” states Article 12 (2) of the UN’s International Covenant on Civil and Political Rights (ICCPR). North Korea is a state party to that Covenant, but North Korean practice violates its obligation. It has been reported that North



A North Korean town right next to the Tumen River seen from the Chinese side.

Korean guards at the border have “shoot-to-kill” orders when North Korean refugees seek to cross the river. Crossing the Tumen River, which extends 500 kilometers along the border of North Korea and China (the Yalu, farther northeast, is much shorter) is a risky proposition. Filled with dangerous currents, rocks, trash, and barbed wire, some shallow areas can be crossed, but they are monitored heavily by border guards. Many refugees try to wait until the river is frozen to cross. They become visible targets against the snow and ice. Many try to bribe border guards, but that is a dangerous chance to take.

Those who “illegally” cross the border or help others to do so also know they face severe punishment if they are returned. Reportedly, the

punishment may be getting worse. Prior to changes in the North Korean penal code in 2004, a person who illegally crossed “a frontier of the Republic” faced a sentence of up to three years in a *kwalliso* (a political penal labor colony where conditions are abysmal and torture is prevalent).<sup>14</sup> Several factors determined the severity of the actual punishment meted out to repatriated North Koreans; these included the number of times the person had been in China, his or her background, and whether his or her movement into China seemed to have a political motivation; and contact with South Koreans.

<sup>13</sup> Human Rights Watch interview with man from Pyongyang, age 27, China, November 30, 2006.

<sup>14</sup> HRNK Refugee Report, p. 18.

Those who did not appear politically dangerous were sent to a village unit labor camp, where they spent between three months to three years in forced labor. For “political offenders” there were more severe penalties. Individuals who crossed the border with the purpose of defecting or seeking asylum in a third country were subject to a minimum of five years of “labor correction.” In “serious” cases, defectors or asylum seekers were subject to indefinite terms of imprisonment and forced labor, confiscation of property, or execution.

Regulations under North Korea’s 2004 penal code appear to have codified this practice of differential treatment between economic reasons and those deemed political. A defector sent back to North Korea is now subject to interrogation and investigation by a Security Agency. If the Agency concludes that the defector crossed the border for economic reasons, the new code stipulates sentences of up to two years of “labor correction.” If the Agency decides that the defector crossed the border for political reasons, he will be charged with the crime of treason, and susceptible to longer-term detention.<sup>15</sup> Under Article 234 of the criminal code, an official with the “frontier administration” who helps “someone to violate a frontier” more than once or in exchange for property faces stiff penalties: a sentence in a *kwalliso* for a period of between two to five years. In practice, individuals assisting refugees have been executed in public.

Changes in the legal code specify lesser treatment for pregnant women, though in practice these protocols are breached, and in some cases forced abortions have been inflicted. The reason given for this atrocity is that babies of mixed Chinese-Korean ancestry are a living symbol of the mother’s betrayal of her homeland and must be killed. As a doctor at a provincial detention center explained, “Since North Korea was short on food, the country should not have to feed the children of foreign fathers.”<sup>16</sup>

The risks are compounded because of the stance of the Chinese government. According to the South Korean Unification Ministry, a secret agreement was signed between China and North Korea in the early 1960s governing security in the border area.<sup>17</sup> As noted above, in 1986, another bilateral agreement was signed calling for the return of North Koreans and laying out security protocols. Chinese surveillance of the border region intensified as part of a 2001 nationwide “Strike Hard” campaign against social defiance, and following a number of incidents in which North Koreans entered and occupied foreign embassies and consulates in order to seek shelter and asylum in 2002.

## The Conditions They Found in China

As mentioned above, agreements between China and North Korea in the early 1960s and in 1986 lay the legal foundation for the forced return of North Koreans. The Chinese policy of complicity with North Korea puts North Koreans in a permanent state of fear once in China. Their exploitation in China is almost guaranteed by this practice; they are pushed into low-wage “dirty, difficult, and dangerous” work.<sup>18</sup> In the Chang interviews, only 22 percent said that they were holding jobs

<sup>15</sup> Soo-Am Kim, “The North Korean Penal Code, Criminal Procedures, and Their Actual Applications,” *Studies Series* 06-01 (Seoul: Korea Institute for National Unification, 2006), p. 6.

<sup>16</sup> A Report of the Committee for Human Rights in North Korea: David Hawk, *The Hidden Gulag: Exposing North Korea’s Prison Camps* (Washington, D.C.: 2003), p. 62.

<sup>17</sup> Yoonok Chang, Stephan Haggard, and Marcus Noland, “Migration Experiences of North Korean Refugees: Evidence from China,” *Working Paper* 08-4, (Washington: Peterson Institute, 2008), p. 7.

<sup>18</sup> Andrei Lankov, “North Korean Refugees in Northeast Asia,” *Asian Survey* 44:6 (Berkeley: University of California Press, 2004), pp. 856-873; and Keumsoon Lee, “The Border-crossing North Koreans: Current situations and Future Prospects,” *Studies Series* 06-55 (Seoul: Korea Institute for National Unification, 2006)

in China. Low levels of employment reported by the North Koreans may stem from a multiplicity of factors. These would include fear of detection or lack of skills, including language skills. Exploitative work conditions reinforce such impediments. To be able to work in China, one needs a *hukou* [residence permit] or *shenfenzheng* [identification card], which North Koreans, by definition, do not have. This lack of papers leaves North Koreans at the mercy of employers willing, for whatever reasons, to employ them illegally. Exploitation, arrest during regular “clean-ups” by police, and denunciation by unhappy neighbors are all common occurrences in this environment.

## The Trafficking Victims They Became

A disturbing finding of the Chang survey was the particular insecurity among North Korean women. Almost from the moment they cross the border — and sometimes beginning in North Korea — refugee women are targeted by marriage brokers and pimps involved in human trafficking.

Marriage brokers provide North Korean women as wives, particularly in the rural areas where the historical preference for male babies has led over time to an acute shortage of marriage-age Chinese women. Having a Chinese husband, however, does not guarantee a North Korean woman’s safety, as she is still subject to repatriation. Moreover, women sold into Chinese families where they suffer physical, sexual, mental, and emotional abuse have very little recourse because of their status. Some women resort to prostitution as a source of income.<sup>19</sup> In addition, North Korean women reportedly suffer abuse from Chinese guards along the border and North Korean officials upon repatriation.<sup>20</sup>

Chang and her interviewers asked respondents if they knew of women being trafficked in China and a majority responded affirmatively. Many were able to quote prices that were paid for them. These prices varied depending on the age of the woman and whether she was encumbered by dependents; young, single women fetched the highest prices.

These findings provided hints to both the desperation of females in North Korean society and the multiple insecurities they face in China. However, only a few could be interviewed in a massive, relatively anonymous study, by a large team of interviewers.

Getting at the stories of people who now live in reasonable fear—fear of what will happen to the families they left, fear of what will happen to the families they have formed, fear of being harmed by their new spouses and new communities, fear of authorities learning of their whereabouts, fear of being sent back to the country they escaped—this task takes a different, highly discreet approach. For this reason, the Committee for Human Rights in North Korea hired a South Korean human rights specialist to locate, contact, and earn the confidence of North Korean women who may have been victims of trafficking. She heard what some women would tell her and honored their wishes for obscuring their identities. What she has recorded, provided to the reader in the following two parts of this report, are stories from women living in distressed circumstances in a land where they have few or no rights. HRNK offers this information to scholars and human rights activists as a means of shedding new light on a very dark corner—the exploitation and human trafficking of North Korean women in China.

<sup>19</sup> Human Rights Watch(2002), Op. cit, pp. 12-15; Amnesty International, *Starved of Rights: Human Rights and the Food Crisis in the Democratic People’s Republic of Korea* (London: 2004) p. 28.; Norma Kang Muico, *An Absence of Choice: Sexual Exploitation of North Korean Women in China* (London: Anti-Slavery International, 2005); Keumsoon Lee, “The Border-crossing North Koreans: Current situations and Future Prospects,” *Studies Series 06-55* (Seoul: Korea Institute for National Unification, 2006)

<sup>20</sup> Anthony Faiola, “North Korean Women Find Life of Abuse Waiting in China,” *Washington Post*, March 3, 2004.

# Findings from Hae-young Lee's Interviews of North Korean Women in China Between 2004-2006

*(This Analytical section and the translations of the personal accounts which follow in the next section are fundamentally the work of Hae-Young Lee)*

In many ways, the stories told by North Korean women echo those of refugees at large, but North Korean women face a unique tragedy.

Women are so desperate in North Korea that they often turn to strangers and are deceived by traffickers, whom they trust to lead them into an unknown land. The women who cross the border, more often than male refugees, tend to do so in the company of others. Eighteen percent of those interviewed crossed the border with people whom they later came to realize were traffickers.

Most of the interviewed women came from the northeastern provinces of North Korea, presumably because of their proximity to the border, the severity of the famine in these provinces, and the regime's disregard for people in this region. As we mentioned above, this area is known as the North Korean "Siberia," where some people were sent if they were considered to be disloyal.

The severity of the famine in the northeastern provinces has often left women without husbands and fathers, and that factor has played a major role in their decision to leave. It is a consistent starting point in the life stories the majority of North Korean women told. In North Korea, after the death of their fathers or spouses, many of these women became homeless itinerant peddlers or scavengers until they crossed the border into China, risking their lives in the process.

## The Korean-Chinese in China

An informal network among the vast Korean-Chinese population in China's border provinces plays a major role in the situation facing North Korean women. This Korean-Chinese population in China, estimated at about 2 million, has directly shaped the ways in which all North Koreans can survive in China and has a special role in the sale of North Korean women into forced marriages and other forms of exploitation.

According to the 4th National Population Census of China conducted in 1990, the total number of Chinese nationals of Korean ethnicity was 1,920,597. Most—97.1 percent of China's Korean-Chinese population—lived in three provinces of Northeast China—Heilongjiang, Jilin, and Liaoning (from North to South). The Korean-Chinese populations in these provinces account for 24 percent, 64 percent, and 12 percent, respectively, of China's total Korean-Chinese population. These interviews were focused on Heilongjiang and Jilin since they have the highest concentration of ethnic Korean populations.

This high concentration of Korean-Chinese in these border provinces has a sound foundation in the history of the region. A precursor of the current situation occurred in 1869 when a severe famine struck North Korea's North Hamgyong and Pyongan Provinces, and the impoverished farmers from these areas crossed the rivers into China, despite China's ban on such migration. In the 1880s, the Qing Dynasty reversed the ban to induce farmers to reclaim wasteland and populate a buffer against growing Russian expansionism. In 1883, Korea's Chosun Dynasty also lifted its ban on border crossings, opening the way for Koreans to legally depart for Northeast China. During the Japanese occupation of the Korean Peninsula, some Koreans fled to China, so that by 1926, Koreans in the Yanbian area numbered 351,727. After 1931, China's northeast fell to the

Japanese, and Japan relocated poor Korean farmers there. By the time Korea was liberated from Japanese rule in 1945, the total number of Koreans in Northeast China exceeded 2 million.<sup>21</sup>

### **Jilin Province**

There were so many ethnic Koreans in one area of Jilin Province that China established the “Yanbian Korean Autonomous Prefecture” there in 1952. This “county-level” form of government retains a degree of autonomy from the central government in Beijing even today. Yanji is its capital, a location familiar to many North Koreans who seek refuge in China.

Jilin Province deserves special attention because it is where most North Koreans who cross the border into China first arrive. This study comprises in-depth interviews with 39 North Korean women in Jilin Province, especially in the Yanbian Korean Autonomous Prefecture, in November 2004, January 2006, and April 2006.



**A typical house in rural areas in Heilongjiang Province of China in the winter time.**

### **Heilongjiang Province**

This study also comprises in-depth interviews with 32 North Korean women living in Heilongjiang Province, during visits there in November 2004, January 2005, and most recently in January 2006.

### **Liaoning Province**

The third Chinese province on the border with North Korea is Liaoning Province, which is adjacent to Jilin, and similar to it in many ways. The situation there can be expected to mirror Jilin and Heilongjiang provinces on a lesser scale. Interviews, however, were not conducted in Liaoning.

### **Shandong Province**

Another Chinese province, across the sea from North and South Korea, offers a singular opportunity for studying a new development in the exploitation of North Korean women in China. Shandong is an economically vibrant sea-coast area that attracts South Korean investment and therefore comprises pockets of recently relocated ethnic Koreans. It is an area that lures North Korean women into the sex trade, primarily in service to visiting South Korean businessmen.

### **Familiarity in a Foreign Place**

Most of the North Koreans who cross the border into China reach the Yanbian Korean Autonomous Prefecture. Immediately after crossing into China, these hungry and frightened people desperately seek help from the first houses they see on the Chinese side. These are often the homes of Korean-Chinese. Here they often find food, clothing, temporary shelter and advice from cultural compatriots who feel some sympathy towards them. Sometimes the Korean-Chinese in

<sup>21</sup> See Hye-sook Shim, *Residential Areas and Population Distribution of Ethnic Koreans in China*, (Seoul: Yanbian University Press & Seoul National University Press, 1994) (Publication in Korean).

China help North Korean refugees contact relatives living elsewhere in China. However, because China has made helping North Koreans illegal and punishable with heavy fines, Korean-Chinese households cannot help the refugees for long and must send them away. Sometimes they give North Korean refugees money for traveling and information about safer places where they can move. Many households in these rural areas of China are themselves very poor, however, with limited resources to share with North Koreans, even when they want to do so.

The presence of culturally similar, linguistically connected populations on the other side of the border offers an advantage to the refugees. Partly because North Koreans cannot speak Chinese—for many years, Kim Il Sung prohibited the teaching of Chinese in North Korea—the refugees must locate Korean-Chinese to help them find what they seek in China.

Not all encounters with the Korean-Chinese households on the Chinese side of the border are consistently sympathetic or beneficial. Sometimes North Koreans who cross the border into China are abused, mistreated, and even trafficked at the hands of the Korean-Chinese. The reverse side of the advantage for the refugees in being able to find and speak to Korean-Chinese is that these same contacts are bilingual and can connect unsuspecting Korean speakers with Chinese-speaking men seeking to buy wives. North Korean women are sometimes intercepted as they arrive at the border areas and sold immediately into forced marriages, often by the very people who had offered to help them. The Korean-Chinese population in Northeast China has been a buffer zone for many desperate North Koreans seeking help, and at the same time a trap by which many North Korean women fall into deeper trouble.

Traffickers often prey upon the North Korean women near the border areas, and then sell them farther away, in rural areas of Jilin Province or other provinces such as Heilongjiang. In some cases, North Korean women are forced by their own relatives or neighbors to enter marriages with Chinese men in remote rural villages of China, and sometimes these relatives and neighbors receive payment in exchange. What seems an unforgivable violation of family responsibilities is often viewed locally as a pragmatic response to the dire situation facing North Korea's escapees. Indeed, for many Koreans in China, forced marriages are considered a lesser evil compared to outright starvation and abject poverty. They would be unlikely to see the people they "help" as victims of trafficking or see themselves as traffickers; they certainly do not see themselves as violating international standards of human rights.

Of course, some North Koreans bring problems to China as well. Some steal money from the people who offer help and some have committed crimes in Chinese villages. Such criminal acts by North Koreans are reported to the Chinese authorities and often result in the perpetrators' arrest and deportation. Many Korean-Chinese who helped North Koreans for an extended period say they are frustrated and betrayed by the misbehavior of some North Koreans.<sup>22</sup> In addition, as the prolonged economic crisis in North Korea continues, more North Koreans continue to cross the border into China, and the sympathy and patience of Chinese residents gets thinner over time. Nonetheless, it is still the Korean-Chinese community, which includes village leaders and church workers, who continue to provide indispensable help to North Koreans.

Often the women who have been married to Korean-Chinese men in rural areas of China are protected from arrest and repatriation to North Korea by people in their village, including their new family members in China. Some women have integrated into local community life, maintaining good relationships with their neighbors. Nevertheless, life can be hard in rural China.

---

<sup>22</sup> One Korean-Chinese Christian missionary who helped North Koreans for almost 8 years in China told Hae-young Lee that helping North Koreans in China was the least rewarding and most troublesome work he ever did. He said, however, because there was no one else to carry that burden, it had to be done by people like himself.

## Poverty in China's Rural Areas

The three provinces of Northeast China where the vast majority of Korean-Chinese live are relatively poor and underdeveloped. China's economic reforms have contributed to the rapidly growing provinces on China's eastern coastline, but not to its inland areas.<sup>23</sup> In fact, a growing concern for China is the disparity in income distribution between rural and urban areas.<sup>24</sup> According to the 2005 China Human Development Report<sup>25</sup> by the China Development Research Foundation and the UN Development Program (UNDP), urban per capita disposable income in 2003 was 3.23 times higher than that of rural per capita net income, while urban per capita consumption was 3.6 times higher than rural per capita consumption. Large disparities in life expectancy, health, and education between urban and rural areas are also reported.

Many people in rural areas are leaving their hometowns and moving to cities to earn more money. As a result, in rural Northeast China, the number of young people staying at home is dwindling. Children are increasingly raised by grandparents, in the absence of parents who have gone to the cities or abroad for several years. Employers in light industry have a strong preference for hiring young women. As a consequence, those who are left in rural areas are disproportionately unmarried men, including those addicted to alcohol or gambling, those who are seriously ill, and those with disabilities. These men have no where else to live, and less chance of finding wives. China's one-child policy, combined with the easy availability of fetal sex determination tests and abortion, has also contributed to the imbalance between the ratio of men and women in China, with the gender imbalance at birth peaking roughly 10 years ago. The net result is that more Chinese men in rural areas have poor prospects for finding a woman to marry, and Marcus Noland predicts this pattern is likely to persist for another decade or two.



After crossing the Tumen River, North Korean women seek help in one of the villages or towns like this near the border. Sometimes they knock on the doors of people who later sell them off.

This scarcity of marriageable women applies equally to both Korean-

This scarcity of marriageable women applies equally to both Korean-

<sup>23</sup> The provinces of Qinghai, Gansu, Yunnan, and Guizhou, even farther inland, ranked as the bottom 4 on their list. Li Shi and Bai Nansheng eds., *China Human Development Report 2005* (Beijing: China Development Research Foundation, 2005), Table, 7. Available online at: [http://www.undp.org.cn/downloads/nhdr2005/NHDR2005\\_complete.pdf](http://www.undp.org.cn/downloads/nhdr2005/NHDR2005_complete.pdf) [accessed 9 April 2009]

<sup>24</sup> Xinhua News Agency reports that Chinese farmers' incomes in the first half of 2006 increased at a slower pace than the corresponding period last year: average annual earnings increased 11.9 percent, to 1,797 RMB (US \$225), but the overall growth rate was down 0.6 percent from the same term last year. Among urban residents, average disposable incomes grew 10.2 percent to 5,997 RMB (\$750), a rate 0.7 percent higher than in 2005. Zijun Lee, "China's Income Gap Widening; ADB Says Addressing Rural Poverty is the Solution," *China Watch News Updates*, August 22, 2006. Available online at: <http://www.worldwatch.org/node/4469> [accessed 9 April 2009]

<sup>25</sup> China Human Development Report 2005 entitled "Development with Equity" by China Development Research Foundation and UNDP. China Development Research Foundation is a semi-independent body established in 1997 under the State Council's leading policy think-tank, the Development Research Center. Original version of the report was written for the first time in Chinese.

Chinese and Han Chinese men in rural areas in Northeast China. For them, “buying” desperate North Korean women who have crossed the border into China can be a very attractive option. For Korean-Chinese men, North Korean women do not seem to be foreigners, since they speak the same language and share a common cultural heritage.

Regardless of what governments in the region might want to be the case, the fact is that an environment exists in which some Chinese citizens find an advantage in the border-crossings of North Korean women.

The interviewees were asked if they knew the amount of money Chinese men or their families paid to intermediaries in order to have North Korean women “marry” them. Out of 20 North Korean women who knew how much money was paid, three said they were sold for under 2,000 RMB (\$257 in 2005); 10 were sold at prices between 2,001-5,000 RMB (\$257-\$ 642); five were purchased at a price between 5,001-8,000 RMB (\$642-\$1,027); and two women said they were sold at prices higher than 8,000 RMB. Considering that the GDP per capita in rural areas of Heilongjiang Province and Jilin Province is respectively 5,000-8,000 RMB (\$642-\$1,027) and 4,000-5,000 RMB (\$514-\$642),<sup>26</sup> the amounts of money are high for poor Chinese farmers in rural areas. In fact, it was not uncommon to hear from North Korean women in Jilin and Heilongjiang that their Chinese husbands were still in debt because of the large sum of money they had to borrow to “buy their brides.” These figures (and others in this report) are from the years of the interviews, 2004-2006, and have likely risen since that time.

**Intermediaries and money transactions when North Korean women entered marriage in China (Out of 58)**

Circumstances	Number
Husbands paid money to intermediary	20
Are not aware of the money transaction between husband and intermediary	9
Intermediary was not paid	29
<b>Total</b>	<b>58</b>

Out of 58 interviewees in Jilin and Heilongjiang Provinces who are married to Chinese men, only 34 percent of them could recall how much money was paid to the intermediaries by their husbands. Another 16 percent said they were unaware whether there was any money exchanged. It is unsurprising they might be excluded from such transactions.

The intermediaries who sold North Korean women for money included organized traffickers with networks as well as Korean-Chinese villagers who happened to encounter unaccompanied North Korean women seeking help near the border areas. Fifty percent of the married North Korean women said they were not “sold” for money, but rather “introduced” to fellow ethnic Koreans who are mostly the relatives of the intermediaries living in Jilin and Heilongjiang Provinces.

<sup>26</sup> Li shi and Bai Nansheng eds.(2005), Op. cit., Table 7.

## Settling in One Place Permanently

Another aspect of their new lives in China is the possibility of settling permanently in one place. There are many reasons that North Korean women tend to stay in China as long-term inhabitants. Most significantly, many North Korean women who cross the border into China end up in de facto marriages with Chinese men. Regardless of their original intention, many North Korean women have no other option but to settle down with these men and start a family.

As their stay in China becomes prolonged, North Korean women find they can adjust to life there. North Korean women, especially those married to Chinese men, can more readily learn Chinese. Those who live with Korean-Chinese can also learn Chinese by watching TV and communicating with neighbors. Another reason it has been possible for many North Koreans to stay in China for long periods of time is because the local Chinese police often turn a blind eye to their presence.

### Number of years living in the same current residency in Jilin & Heilongjiang Provinces

Number of years	Number of Women
Less than 2 years	4
2 – 3 years	14
4 – 5 years	12
6 – 7 years	14
8 – 9 years	22
More than 9 years	5
<b>Total</b>	<b>71</b>

A majority of the women interviewed in Jilin and Heilongjiang Provinces lived in their current residences for an extended period of time, some for eight to 10 years. This means that half of the women interviewed were in their twenties when they left North Korea. At that age, they were attractive to marriage traffickers. They were also easily targeted by traffickers or were susceptible to pressure from the people around them, forcing them into unwanted marriages. Once they entered

marriages, many ended up becoming long-term inhabitants with relatively few contacts outside of their homes.

Of the respondents on this question, 46 were married to Korean-Chinese and 12 were married to Han Chinese, and 39 of these 58 women had given birth to a child in China. The fact that entering marriage with a Chinese man generally entails child-birth makes it very difficult for these women to seek other opportunities or to fight the abuses or mistreatments they experience. North Korean women are expected to abide by the demands set by new family members, in some cases, the very people who had bought them or forced them into the circumstances they face. There have been reports of some North Korean women running



Many North Korean women live with Chinese men and sometimes become integrated into the Chinese local communities.

away from their new families in China, sometimes even leaving their children behind. Beatings are sometimes the cause. “They beat me so frequently that I thought I would die. After staying there for one year, I ran away in my bare feet,” one woman testified. Others reported fleeing upon learning they would be sold again. Still others were threatened that the police would be called if they were to protest or run away.

That so many women who were interviewed in Jilin and Heilongjiang Provinces could have avoided being repatriated by the Chinese authorities over an extended period of time, however, strongly suggests that there are certain informal protection mechanisms for North Korean women who have become integrated into their local communities. It appears that North Korean women living in marriages in the rural areas of China are protected by villagers who know how to deal with the local authorities, and the local authorities turn a blind eye to these people unless they cause trouble.

From this research, it appears that the local police are sometimes aware of North Korean women living in their jurisdictions, and yet do not arrest them unless there are special orders from superior authorities or a complaint filed by villagers. One case in which a North Korean woman living in a Chinese village was arrested occurred when the border patrol police came directly from the border area to pick up the woman, whose name and address had been provided by another North Korean who had been arrested. In this case, the local police did not have a role.

Of course, the fact that some are allowed to remain without interference does not mean that any have adequate protection of their rights or legal standing in their communities. They are no doubt beholden in one way or another to those protecting them.

The precarious legal status of North Korean women in China limits not only their own rights but also those of their children born in China. As mentioned earlier in this report, to be able to work in China, one needs a *hukou* [residency certification] or a *shenfenzheng* [ID card]. The lack of papers places the North Koreans at the mercy of employers willing, for whatever reason, to employ them illegally. Exploitation, arrest during regular “clean ups” by the police, and denunciation by unhappy neighbors are all too common occurrences in this environment.<sup>27</sup> Ninety-three percent of the North Korean women in these interviews did not hold the so-called *hukou*. Only seven percent were able to obtain “fake” *hukou* by paying bribes to local authorities. It is said that the fake permits cannot be relied upon, since at any time they can be discovered and cancelled. Some women were aware of another way of securing *hukou*, by buying the *hukou* of a deceased person in another province. But because of the high expense, none had been able to do this.



The bridge connecting Tumen in China and Namyang in North Korea, over the Tumen River.

<sup>27</sup> HRNK Refugee Report, p. 21.

The children born to the marriages between North Korean women and Chinese men are often deprived of the basic rights they should have as a result of residence and Chinese nationality. Without *hukou*, these children have less chance to attend school, or if they do, they do not receive textbooks like other students. Their academic performance is not officially registered with the national education authorities. This hinders their pursuit of higher education in the future. According to these interviews, 15 children out of a total of 42 had obtained *hukou*. These were registered under the child's Chinese father's name. Even this arrangement can be very expensive because local officials demand exceptionally high fees in such cases, which many of the parents can ill afford. Among the 15 children who had *hukou*, there were several recent cases from Jilin Province in which local authorities did not ask for bribes. Even though this is a positive development, 27 children out of 42 in Jilin and Heilongjiang Provinces, born in China and with Chinese citizens as fathers—therefore legitimate Chinese citizens—did not have legal documentation, because of their mothers' irregular status.

There are consistent reports from parts of Jilin—in the so-called Korean Autonomous Prefecture—that local authorities take pictures of North Korean women and their new-born children to establish some official documentation of their presence, apparently to guarantee their safety. Of course, this process could also be used to monitor or discriminate against them, but that has not been reported in Jilin. It has been reported in Heilongjiang, where similar initiatives to make a formal document are said to have been used against North Korean women who were later arrested and repatriated to North Korea.

Most importantly, because China defies international law and returns North Koreans to persecution in the land they fled, North Korean women are always in fear of being returned. Of the total 71 North Korean women interviewed in Jilin and Heilongjiang Provinces, 26 women had been arrested and repatriated to North Korea, and had managed to return to China after they were released from detention facilities in North Korea. There were seven women who were able to avoid being forcibly repatriated to North Korea by paying a considerable amount of money, between 3,000 and 8,000 RMB (\$385-\$ 1,027), to the local police. The remaining 38 North Korean women said they never experienced arrest or repatriation nor had to pay fines to the police during their uninterrupted stay in Jilin and Heilongjiang Provinces. These figures, based on a very selective sample, do not represent the whole picture. North Korean women who were repatriated to North Korea and never returned were obviously unavailable to be interviewed.

## Sex Workers in Shandong Province

The interviews in Shandong province offer a rare glimpse into the lives of North Korean women who are currently employed as sex workers there. Interviews were conducted during two visits to Qingdao in March and October 2006. Interviewers spoke with eight women, only six of whom agreed to in-depth interviews. Of the six, almost all had been sold into forced marriages in rural villages and found the sex trade one of the few options open to them after leaving these marriages. Some desperately needed money to pay for medical operations or treatments their new Chinese families would not, or could not, finance; others needed money to pay for Chinese registration documents for themselves and their children, or to help family members in North Korea. A few entered the sex trade with the knowledge of their new Chinese families who then reportedly received regular payments of money from them. Additional people interviewed, including local church workers and even a pimp who had been running a brothel for 10 years in the area of Qingdao, confirmed these general accounts and emphasized that North Korean sex workers had little education in health issues and were therefore especially vulnerable to sexually transmitted diseases such as HIV/AIDS, unwanted pregnancies, and abortion.<sup>28</sup>

Shandong Province is located along China's eastern coast and is in the lower Yellow River delta. It is a fast-growing communication hub on China's coastline. Since the adoption of China's reform policies, Shandong has a net in-migration after years of out-migration. In 2005, its population had grown to 91,800,000.<sup>29</sup>

After China and South Korea normalized diplomatic relations in 1991, many South Korean companies opened factories and branches in Shandong. South Koreans have also opened restaurants, stores, beer bars, and entertainment establishments. There are over 80,000 South Koreans living in the city of Qingdao alone. The increasing number of South Koreans in the area has attracted an influx of Korean-Chinese from the three northeast provinces of China, including Yanbian. Korean-Chinese have a natural advantage in getting a job at a South Korean company because they are often bilingual in Chinese and Korean. The number of ethnic Koreans who have moved to Qingdao over the years is estimated to be 300,000.

It is almost impossible to tell North Koreans from Korean-Chinese, and North Koreans are moving to Shandong along with them, hoping to find their chance to start new lives. The local people in Qingdao say the inflow of North Koreans into Shandong Province began as early as 1997 and



**Two North Korean women working as sex workers in Qingdao leave after having interviews with our research team in October 2006.**

<sup>28</sup> Hae-young Lee reports from trips to China on file with HRNK.

<sup>29</sup> United Nations Economic and Social Commission for Asia and the Pacific Population Data Sheet, available online at: <http://www.unescap.org/esid/psis/population/database/chinadata/shandong.htm> [accessed 9 April 2009]

has gradually increased. North Korean men and women alike migrate to Qingdao; North Korean men often cannot find work but women find work as housemaids, waitresses, and as sex workers.

In Qingdao, there are several ethnic groups of women working in the sex industry including Han Chinese, Korean-Chinese, North Koreans, and Russian women. No one knows the exact number of North Korean women working as sex workers in the ever-booming sex industry in Qingdao.

## **Types of Sex Establishments Where North Korean Women Work**

There are numerous boarding houses in Qingdao for sex workers who operate out of nearby bars, beauty salons, up-scale bathhouses, and night clubs. Customers include Korean and Japanese businessmen working and living in the district.<sup>30</sup>

The boarding houses are similar to brothels, but they are usually located in the residential areas, including recently-built apartment buildings. Men can go to these places to have sex with women working there, or make phone calls to ask for a woman to meet them at a designated place outside. Some boarding houses seem like hostels for a group of women living together in order to share their rent, while others seem more like commercial brothels where pimps or gangs are involved.

These boarding houses are connected to entertainment establishments including karaoke bars and night clubs in the area, so that the women belonging to these boarding houses can have arrangements lined up for them during their working hours. Usually, the madam in each boarding house manages the women and gets a certain portion of the money earned by these women for making the arrangements for them. Normally, North Korean women working as sex workers start their work in karaoke bars at 5 p.m. There may be more than one karaoke bar for them to frequent in one night. From the karaoke bars, they can go elsewhere to have sex with their customers. In these cases, they report everything to their madam and come back to the boarding house by the next morning. They can rest until 5 p.m., but sometimes they get calls from their customers to meet with them in the afternoon as well.

## **What North Korean Women Earn as Sex Workers**

It is said that North Korean women who work at the karaoke bars earn 100 to 200 yuan for each room they enter. They give some to the owner of the karaoke bar and also to the madam at their boarding house who arranges their schedules. They also get additional tips from the customers. When they sleep with customers, they can earn from 400 to 700 yuan.

Based on the interviews with six North Korean women currently working as sex workers in Qingdao and conversations with two other North Korean women who would not give full interviews, the amount of money earned in one month ranges from 5,000 to 10,000 yuan. On average, they can save 3,000 to 4,000 yuan per month, even after spending some money for living costs. Compared to the amount of the money they can earn either in North Korea, or by working in China as a domestic helper or a waitress in a restaurant, from 400 to 700 yuan per month, the amount they can earn by working as a sex worker is quite attractive.

A local church worker who is an ethnic Korean living in Qingdao said this about North Korean women working as sex workers in the area:

---

<sup>30</sup> "Sexual health NGO steps in where the state declines to tread," *China Development Brief*, Volume X, Number 5, May 2006. Available online at: <http://www.chinadevelopmentbrief.com/node/572> [accessed 9 April 2009]

*“They can save as much as 30,000 to 50,000 yuan within one year by working as sex workers. It’s a huge amount of money if you think about it. It’s difficult for them to resist the temptation to earn a lot of money within a short period of time. One of the North Korean women I used to help exchanged the money to US dollars and sent it to her brother living in North Korea. But, they usually want to go to South Korea with the money they have earned like that.”*

Not all, however, do so well. One woman interviewed pointed out that “because we have to spend lots of money on our clothes, make-up, and accessories in addition to basic living costs, we can’t save as much money as we would like.” Another complained that “Because we have to pay for our own rent, which is about 10,000 yuan for one year, we are not able to earn much money.” And still another, “I thought I could earn a lot of money in China, but it is not as easy as I thought.”<sup>31</sup>

## **Routes Through Which North Korean Women Enter the Sex Industry**

North Korean women take two paths to end up working as sex workers in Qingdao. The first is being sold into a marriage in Shandong Province. Some of the North Korean women interviewed had Chinese families in Shandong Province, two-to-three hours away by car from Qingdao. After a few years of living an isolated life, sometimes with hard labor and abusive treatment, they heard about opportunities to work in the cities nearby and either got permission from their new family in China or ran away to Qingdao. At first, they tend to work at small companies run by South Koreans or Korean-Chinese, but later realize that the way to make a large amount of money in a short period of time is to work in sex and entertainment establishments.

A second path involves having been trafficked into forced marriages in other provinces in Northeast China. After they learn about better opportunities and the hope of going eventually to South Korea, they decide to move to Qingdao. Once they come to Qingdao, they realize they still do not have many options, and turn to the sex industry to earn money.

North Korean women who make their way to Qingdao in search of better work opportunities usually depend on their networks with other North Korean women or Korean-Chinese women who have already gone to Qingdao. With the development and spread of mobile phones across China, North Korean women can make phone calls to each other wherever they are in China. This has enabled more North Korean women over the years to move to the cities as a way of getting out of their impoverished and isolated lives in rural areas of China.

---

<sup>31</sup> See Cases number 42,43 and 45.

# Personal Accounts from North Korean Women Interviewed in China

## North Korean Women Seeking Survival in China Are Often Bought and Sold By Traffickers from Inside North Korea

### Case 1 Ms. Baek in Heilongjiang Province, born in 1974

My mother was the sole bread winner since my father had left us when I was young. We were very poor. One day in February 1998, a couple who lived in our village suggested I go to China with them to earn money. They said I would be able to earn 600 yuan per month if I worked in a restaurant. They said not to tell my family about going to China, and even though I knew nothing about China, I went with them. We crossed the Tumen river and, after walking all night, arrived in Yanji. As soon as I arrived in Yanji, I was turned over to an ethnic Korean man in his 40s. I shouted at the couple who had convinced me to go, accusing them of lying and selling me off. The woman began to cry, saying she had also lost her daughter who left for China and they were on their way to Heilongjiang Province looking for her. I didn't know what to say, and begged them to be nice to me. After one week, I was taken to Heilongjiang Province by train. My current husband's sister came to pick me up. It was then that I learned that my husband had paid 3,000 yuan for me.

<b>The Price of Lives: Amounts paid for Wives (exchange rate in 2005)</b>
<b>Amount</b>
Up to 2,000 Renminbi (US \$257 in 2005)
2001 - 5000 RMB (\$257 - \$642)
5001 - 8000 RMB (\$642 - \$1,027)
8001 RMB (more than \$1,027)

### Case 2 Ms. Lee in Heilongjiang Province, born in 1962

I was married and had one son when I lived in North Korea. Our economic situation was not that bad. My husband worked on a farm and I earned some money by selling clothes. We also had some income because we provided accommodations for Chinese people who came to North Korea for business. One day in January 2002, a Korean-Chinese man came and stayed with us for 20 days. When he heard I was selling clothes, he said I could make a lot of money if I went to China and sold clothes there. Without telling my husband and my son, I decided to follow him to the train station in Onsong to leave for China. As we were standing near the railroad, he gave me something to eat and some water. These must have been drugged, because after I had them, I lost consciousness. When I awoke, I found myself in a house on the Chinese side of the border. Two other North Korean women were there as well. 10 days later, I was taken to a village in Heilongjiang Province, traveling on two trains. Several ethnic Korean men in their 30s were involved in transferring me from one place to another. Finally, I was sold to a Han Chinese man who was 47 years old at that time. I stayed with him for about one month. After realizing that he planned to sell me because I could not speak any Chinese, I ran away from his house.

### Case 3 Ms. Lee in Heilongjiang Province, born in 1981

My father died when I was young. Our family was very poor because my mother was the only one earning money. In 1998, when our family was starving, I heard the rumor that you could earn a good amount of money in Yanbian in China just by

working on a farm. One of my friends in my village introduced me to his cousin who said that I could make money right away once I arrived in Yanbian. I followed the man and crossed the border into China. We entered a house near the border where someone in the house called a taxi. They said it was dangerous to be in the border area like that and asked me to hide inside a big box in the trunk of the taxi. I did. Soon I felt sleepy and couldn't keep awake. Now that I look back on it, I suspect that they put something into my food before we left the house. Anyway, when someone woke me up, I found myself in the area called Longjing in Yanbian. Next day, I was taken to Qitaihe in Heilongjiang via Mudangjiang by train. The people who took me there told me they would get me a job. But instead they sold me to my current husband who is Han Chinese for the price of 5,000 yuan.

#### **Case 4 Ms. Lee in Heilongjiang Province, born in 1971**

I lost both my parents and was living with one older sister in North Korea. It was difficult to make a living in North Korea, but I was not sure if I wanted to go to China. I was afraid to go to China. One day in August 2003, I was deceived by a North Korean woman who later turned out to be a trafficker. She told me she would find a decent job in China for me. We crossed the border together and she took me to a house near the Tumen River. After staying in the city of Tumen in Yanbian for one week, I was sold to a Han Chinese man in Qitaihe in Heilongjiang Province for the price of 1,000 yuan.

#### **Case 5 Ms. Han in Heilongjiang Province, born in 1966**

My father died when I was one year old and I lived with my mother and sister. Years later, I got married and had two children. My son and daughter died when they were 13 and nine years old, respectively, which made me despair of my whole life in North Korea. One day, a North Korean man in our village approached me and asked me if I wanted to go to China to find a new life. I agreed and followed him. There were two other women when we crossed the border. Later I found out that the man was a trafficker. He worked with a fellow trafficker, an ethnic Korean woman living in Heilongjiang Province. The woman was waiting for us in Yanji and all of us went to Qitaihe in Heilongjiang Province by train. They were going to sell us to Chinese men in Heilongjiang Province as brides. We were all caught by the Chinese police at the train station, but I managed



**Harbin Train Station in Heilongjiang Province, where traffickers were reportedly arrested by Chinese police.**

to escape and got help from an ethnic Korean owner of a shop nearby. Later, I heard that the woman the police caught was imprisoned on the charge of trafficking.

#### **Case 6 Ms. Kang in Heilongjiang Province, born in 1964**

My father died when I was young and I lived with my mother and three younger siblings. I married, but my husband died. I have two sons in North Korea. In 1998, I went to Musan in North Korea to get some food for my children, and I met an old woman near the train station who told me all the good things about China. I was introduced by the woman to three other North Koreans who were going to cross the border into China. So, in November 1998, the four of us crossed the border into China together. It turned out that one of the four people was a trafficker. I was forced to stay in Longjing for a week and then another week in Helong. My current husband came to Yanji from Qitaihe in Heilongjiang Province to pick me up. I heard that he paid 5,000 yuan to the man who had brought me from North Korea.

#### **Case 7 Ms. Oh in Heilongjiang Province, born in 1965**

I was married and had one daughter in North Korea. My parents died of starvation in the mid 1990s. One day, a friend of mine who was from my province said he could help me find my uncle who was supposed to be living in Longjing in China. He was originally from China and therefore had many friends and relatives living in Yanbian. So, I followed him to China, leaving my daughter in North Korea. After we crossed the border and went to the village near the border, he passed me to an ethnic Korean man who came from Yanji. This man from Yanji took me to Heilongjiang Province and sold me to my current husband for the price of 7,000 yuan.

#### **Case 8 Ms. Jung in Heilongjiang Province, born in 1974**

I was living with my mother, step-father, and a brother in North Korea. In 1998, I went to the house of my step-father's daughter in order to get some food for my family. Near the train station in Heoryung, I met a young woman who was about 20 years old. She said she could help me earn some money in China and return to North Korea. Guided by her, I crossed the border with two other North Korean people who turned out to be traffickers connected to ethnic Koreans in China. We went to a small house near the Tumen River where I saw five other women like me gathered together. We were sent to another house in the mountain in Longjing, and then finally to Yanji. In Yanji, my current husband came from Heilongjiang and took me after paying 4,000 yuan.

#### **Case 9 Ms. Park in Jilin Province, born in 1971**

I got married in 1995 and my husband was a fisherman in North Korea. We had one son. Our economic situation began to deteriorate in 1996, and I had to support my family by selling things at the market. I used to go to Rajin District, where my own parents lived, to get food and cigarettes to sell. I also did some work sawing wood, for three years. In January 2004, my husband died from an illness. I had to continue selling things to feed myself and my son, moving around to different areas. In June 2004, I bought 70kg of mushrooms and herbs to sell but found out the price had gone down drastically. I was about to lose everything I had. Then someone living in

my apartment said she could help me to sell them in China. She used to go to China often. She said she had already arranged for me to sell my mushrooms and herbs in China at a good price. So, I crossed the border into China with her and entered a house just across the Tumen River. Once we went into the house of ethnic Koreans, she said to me I should think about getting married to a Chinese man. Realizing that she had lied to me, I yelled at her and asked her to at least get me a job so that I could earn some money and then go back to my son in North Korea. But the next morning, I was taken to Wangqing in Jilin Province and was made to live with an ethnic Korean man who had just divorced his wife.

#### **Case 10 Ms. Lee in Heilongjiang Province, born in 1973**

My parents died of starvation and my two younger brothers were killed by robbers in North Korea. After I lost all my family members, I was left wandering in the countryside, all by myself. One day, I met a North Korean couple who looked little bit younger than me. In November 1999, they suggested I go to China with them. As soon as we arrived in Helong and went into the house where they took me, I was taken to Longjing and then to Yanji by the ethnic Koreans. From Yanji I was taken to Mudanjiang in Heilongjiang Province by train. When we arrived in Mudanjiang, the brother of my current father-in-law was waiting for us. I was then taken to Jidong in Heilongjiang where I live with an ethnic Korean man. I have been told that my current husband paid 10,000 yuan for me.

## **North Korean Women May Also Be Trafficked After They Cross into China**

#### **Case 11 Ms. Kim in Heilongjiang Province, born in 1958**

My father died in a mine accident when I was five years old. I had three siblings who are all now living in North Korea. I got married and had two sons and a daughter in North Korea. My husband was sick and my family was very poor. I didn't know what would happen if I went to China, but decided to go with a North Korean man to China to earn some money. In November 1998, I took my daughter, who was 12 years old then, and went with him to cross the border into China. Three of us walked all night through the mountains, and my daughter couldn't keep up with us because she was exhausted. When we arrived at a village near the Tumen River, the man urged me to leave my daughter behind, saying I could come back later to find her. So, we left my daughter in front of a house in the village. We went to Longjing in Yanbian and from there we were separated. I stayed in the house of ethnic Korean people for about 30 days. They would not allow me to leave the house. Then, someone from Yanji came to take me and we went to Heilongjiang Province by train. Only when we arrived in a village in Heilongjiang did I hear that I was going to get married. I didn't have a choice because I didn't know even where I was. My current husband paid 7,000 yuan to the man who brought me from Yanji.

#### **Case 12 Ms. Lee in Jilin Province, born in 1977**

I was raised by my mother alone and had one older brother and one older sister in North Korea. My mother was always busy working on the farm. My older sister left



**Mudanjiang Train Station, from which many North Korean women are taken by traffickers to distant areas of Heilongjiang Province.**

for China in 1997, without telling us, and we never heard from her again. My family was so poor that I decided to go to China with my male cousin. In January 1999, we crossed the Tumen River together, and then separated in order not to be noticed by others. Without knowing where I was going, I just followed the roads and finally reached a house in a village near the Tumen River. It turned out that the resident of the place I entered was someone selling women like me. Immediately, I was sold to a Han Chinese man in a rural village in Shenyang

at 3,000 yuan and had to live with that man for a year. Pitying me, an old woman in his village, an ethnic Korean, introduced me to one of her relatives to help me get out of there. So, I was introduced to my current husband who is a Korean-Chinese in Wangqing in Jilin Province.

#### **Case 13 Ms. Kim in Heilongjiang Province, born in 1975**

My father died in 1995 and I lived with my mother and two older brothers. In October 1999, my friend suggested I go to China with her. I thought I could come back to North Korea after a few weeks, so I agreed to go with her. After crossing the Tumen River, we were heading for Shandong Province, and stopped over in Tianjin for about 20 days. There, we met with one ethnic Korean man by chance, and he said we should get married to a Chinese citizen to be safe. While I was not sure whether I should follow him or not, he took me to Mishan in Heilongjiang and sold me to a Han Chinese man at the price of 5,000 yuan.

#### **Case 14 Ms. Kim in Heilongjiang Province, born in 1966**

My mother died at the age of 46 in North Korea. I was married and had two daughters. My husband used to beat me often. Finally I decided to divorce him. When we were divorced, my husband took our older daughter with him. I used to sell things at the market but life in 1998 was very difficult. I wanted to make some money and decided to go to China. In January 1999, I crossed the Tumen River with three other people and we all went to the house of ethnic Koreans nearby. This household had an orchard. They let us work there for awhile, giving us food and shelter. One day, three men, including one dressed in soldier's uniform, came in a taxi and took me to Longjing where I was sold to an ethnic Korean man. Later, when I realized this man planned to sell me again, I ran away to Yanji.

#### **Case 15 Ms. Kang in Heilongjiang Province, born in 1975**

My mother died when I was 17 years old. I had one older brother and two younger sisters in North Korea. In 1998, our economic situation was very bad. There were

people going around saying that you can have a much better life if you go to China. So, in May 1998, by myself, I crossed the border into China. I didn't know anyone, so I just went into a house that came into sight after I arrived in Helong. A man in this household made phone calls to his relatives in Heilongjiang Province, and next morning took me to Heilongjiang by train. I was handed over to an ethnic Korean man who was the relative of the man from Helong, to become his wife. I do not think my current husband paid any money.

#### **Case 16 Ms. Kim in Jilin Province, born in 1963**

I was married in North Korea and had two sons. My father died from an illness in 1996. My husband worked in a coal mine, and I worked in the restaurant of a motel. I was not in a good relationship with my husband and finally we divorced. My sister-in-law and her husband left North Korea in 1997 and went to China; she was caught and sent back to North Korea, where she was put in a detention center. After she was released, she persuaded me to go to China with her. In January 1999, I crossed the Tumen River with my sister-in-law. She was taken in by the same Chinese family she had been sold to before the arrest. I went to Tumen in Yanbian and stayed in the house of an old ethnic Korean woman who owned an orchard near the house. I worked in the orchard. There were a few more North Koreans staying there. One day, a friend of the old woman came to visit her and said she would get me a decent husband. A few days later, a couple who were ethnic Koreans living in Heilongjiang Province came to the house. Then, the five of us all took a train to Heilongjiang. We arrived at a house where I was introduced to a man who was about 30 years old. He was just smiling and speaking to himself. It turned out that he was the younger brother of the couple and had been mentally ill for the last 10 years since he was 20. Even the old woman who owned the orchard in Yanbian and had brought me there was shocked at seeing him. Nevertheless, her friend took 3,000 yuan from the man's sister and they went back to Yanbian leaving me there.

### **North Korean Women in China Often Have No Option But to Marry Chinese Men in Rural Areas—Most of them Poor, some Elderly—Where They Become Entrapped in Still More Poverty, Hardship, and Unhappiness. Some are Beaten and Badly Maltreated in these “Marriages.”**

#### **Case 17 Ms. Kim in Jilin Province, born in 1979**

My father died when I was young. My two older sisters went to China and lived with Chinese men. In February 1999, my mother got very sick. She missed my sisters very much. So, I decided to go to China in order to visit my sisters and at least bring back photographs of them to show to my mother. I crossed the Tumen River with my friend and her father who had some relatives in China. I was sold to a Han Chinese man and lived with him for six months. Then I managed to contact my sister living in Helong and left to stay with her. But she couldn't take care of me either. The Chinese husband of my sister introduced me to my current husband who is a Han Chinese living in Wangqing. I gave birth to a son in 2002. These days, my husband is not well and cannot work outside. So, we are very poor and cannot even buy medicines when we are sick.



**A North Korean woman in her late 40s. She lost flesh on her hands and legs and her skin turned black while living in Heilongjiang Province with a poor Han-Chinese man. Due to the difficult economic situation, she has been doing nothing to treat them.**

#### **Case 18 Ms. Choi in Jilin Province, born in 1981**

Both my parents died in 1998 when I was 16 years old. My mother died of an unidentified disease and my father had a problem with his liver. When he was on his way returning home from China, where he went to get food and clothes for my younger brother and me, he was caught and sent to a detention center. He died one and a half months after he was released from detention. After that, my younger brother and I were sent to an orphanage. I ran away from the orphanage when I turned 18 with a friend from the orphanage. I went with my friend and her older sister and crossed the border into China in January 2000. We were so scared that we decided to split up. I went to Tumen and stopped at a small restaurant. The owner of the restaurant and his wife saw me and took me to a hospital, because I had become malnourished and developed pneumonia. They helped me get treatment at the hospital and stayed with me for 10 days. Afterwards, they took me to the house of their younger brother in Wangqing. After two months of waiting to see if I was going to run away, they arranged a wedding party for me and their brother who was 34 years old then—I was still 18 years old. I gave birth to a baby boy in August 2002.

#### **Case 19 Ms. Lee in Jilin Province, born in 1974**

I lived with my parents and two older siblings in North Korea. In 1998, our family was so poor we had nothing to eat. My father decided to go to China and I followed him. In April 1998, we crossed the Tumen River and went to Wangqing in Jilin Province. There, we got some help from ethnic Koreans and I lived with my father in a hut situated in the mountain near the village for a half a year. At that time, there were some people trying to introduce me to an ethnic Korean man who was a Christian preacher. But my father was against it, because he wanted to go back to North Korea with me after we had earned enough money. One day, someone in the village reported my father to the police and he was sent back to North Korea. Left alone, I didn't have anyone to rely on. So, finally I gave my consent to get married to the ethnic Korean man. I work on a farm. Now I have two sons who are one and seven years old.

#### **Case 20 Ms. Lee in Heilongjiang Province, born in 1962**

After being deceived and abducted by an ethnic Korean man who stayed at our house in North Korea, I was sold to a Han Chinese man in Heilongjiang Province in 2002. After I lived with the Chinese man for about one month, I realized that he was trying to re-sell me to someone else. He complained that I couldn't speak any

Chinese. I ran away from the house, not knowing where to go. Within a few hours, I was caught and brought back by the Chinese man. He took out his leather belt and whipped me on my back for about an hour. I got bruises and blood on my back and had severe pain. Later I cried in front of this man's mother and opened a drawing book, pointing to an image of a bus. I tried to ask her to give me some money so that I could take a bus to leave the place.

#### **Case 21 Ms. Seok in Jilin Province, born in 1980**

In 1999, after I came to China at the age of 20, my older sister's ethnic Korean husband introduced me to a Han Chinese man in Jilin Province to live with. Because I could not speak Chinese and I was too scared to do anything there, the Han Chinese man and his father used to yell at me and even beat me. Sometimes, they kicked me in my stomach so hard I could not breathe. They beat me so frequently that I thought I would die. After staying there for one year, I ran away in my bare feet.

#### **Case 22 Ms. Cho in Heilongjiang Province, born in 1980**

I came to China in 1998, at the age of 18, and was introduced to a Korean-Chinese man in Heilongjiang Province. I gave birth to a baby boy in 1999. My husband does not have a job but works on a farm from time to time. He drinks and gambles a lot. One day, he came back home drunk and hit me on my hips with a pair of iron pliers, very hard. I had to be taken to hospital.

#### **Case 23 Ms. Lee in Heilongjiang Province, born in 1962**

After I was sold to Chinese men several times, I was finally introduced to an ethnic Korean man with whom I have been living since 2003. He was 45 years old and had a 19-year-old daughter from his previous wife. As soon as we began to live together, the man asked me to have a sterilization operation saying it would be too embarrassing for him if I became pregnant because he was an old man. I had the operation at the hospital in the city. I have since had another operation due to an infection in that part of my body. I learned only after the operation that there are many other ways to avoid pregnancy. I wish I had not had the operation because I am still suffering from the consequences.

#### **Case 24 Ms. Seok in Jilin Province, born in 1980**

After I ran away from the house of one Han Chinese man who used to beat me often, I was introduced to another Han Chinese man to live with in 2000. After moving in with the second man, I realized that I was pregnant from the previous one. When my current husband and his family members found it out, they asked me to get an abortion. Even though I was already eight months pregnant, I was made to go through an operation at the hospital. I even saw the dead face of my baby when it was taken out of my womb.

#### Case 25 Ms. Choi in Jilin Province, born in 1981

When I came to China in 2000 at the age of 18, I was sick and very weak. I was taken in by an ethnic Korean couple who looked after me and then introduced me to their brother to live with. He was 35 years old then. In 2001, I became pregnant with twins. My sister-in-law insisted that I have an operation to terminate the pregnancy, saying we cannot afford to raise the babies now. I had this operation when I was two months pregnant. When I became pregnant again, I was asked to have another operation. This time I insisted I would like to have the chance to hold the baby's fingers and I gave birth to a boy in August 2002.

#### Case 26 Ms. Kim in Jilin Province, born in 1954

My husband died in 1997 in North Korea, so I lived with my two sons selling things. In 1998, my mother went to China to get some help from her Chinese relatives. On her way back home, she was murdered by a North Korean youth. In 2002, I went to China to earn money with one of my sons who later was caught and sent back to North Korea. In 2003, with the help of an ethnic Korean woman, I was able to work in the house of a Han Chinese family in Wangqing, Jilin Province for one year. I did all kinds of farming work day and night, only hoping to be able to send back some money to my sons in North Korea. But the Han Chinese family asked me to leave after one year without paying me any money at all. I was very disappointed, but could not do anything because they threatened to report me to the police. So, I just ran out of the house, carrying only the one small bag I had.

### Another Option for North Korean Women in China is to Work at Low-Paying Menial Jobs with Long Hours, No Benefits and No Labor Protection of Any Kind

#### Case 27 Ms. Heo in Jilin Province, born in 1968

I had a husband and one daughter born in 1994 in North Korea. I was divorced from my husband and lived with my parents. Because my parents were not well, it was very difficult to live. I decided to go to China and crossed the Tumen River alone in May 2004. I went into a house near the river where an old couple was living. There was a 17-year-old North Korean girl there who had also just come from North Korea. I realized they were going to sell us, so that girl and I ran away from the house when the couple was asleep at night. I went to Yanji where I got some help from church people. I got a job as a domestic helper. Later, I was introduced to a new job as a cleaner in the kitchen of a karaoke bar and I am still working there. I work almost 15 hours a day and earn 700 yuan per month. I sent 1,000 yuan back to my home in North Korea once, but I am not sure if it



Many shops and restaurants have been opened by ethnic Koreans in Qingdao.

ever was received. When I have saved 20,000 yuan, I want to go back to North Korea and start something there with my money.

#### **Case 28 Ms. Hong in Jilin Province, born in 1957**

I had three children in North Korea. In 1998, my son went to China first, and then my two daughters went to China. After our children had all gone to China safely, my husband and I crossed the border into China with some others from our village in May 1998. Around that time, there was not much surveillance. I was able to find a job from the advertisement I saw on the street. I worked for an ethnic Korean family as a domestic helper for two years, earning 300 yuan per month. After the head of the household died, I got other similar jobs here and there, all in Yanji. Currently, I work in a shop making rice cakes, earning 500 yuan per month. I pay 150 yuan every month for the rent of the room I am staying in with my son. My older daughter was sold to a Chinese man living in Heilongjiang right after she came to China, and my younger daughter is missing in China.

#### **Case 29 Ms. Lee in Jilin Province, born in 1938**

I had three sons and two daughters in North Korea. They are all still in North Korea except for one daughter who is now in China. Three sons work in the mine and are married. One of my daughters went to China first and got married in Wangqing, Jilin Province. In February 2002, after getting a message from her, I also went to China. With the help of my daughter and her Chinese husband, I worked as a domestic helper for three years earning 300-350 yuan per month. Now, I live with an ethnic Korean couple who needs my services because they are very old and sick. I get 400 yuan per month for this job, and I send all of that to my sons in North Korea. That's all I can do from here.

#### **Case 30 Ms. Kim in Jilin Province, born in 1941**

I married a Chinese man in North Korea in 1962. After three months of living with me, he went back to China and never returned. I had one son. He got married but died from cancer in 1997 at the age of 48. My daughter-in-law went away with my two grandchildren. So, I was then alone. I had heard people say that you can be rich if you work hard in China. So in January 2004, I crossed the border into China with several other people. We paid 200 yuan each to the broker and a soldier at the border. I went to Wangqing to find a job, and there I worked as a domestic helper for one year, making 400 yuan per month. Since then, I have been working in my current workplace where I do all the cooking, cleaning, and washing for an old couple. Their daughter hired me and pays me 400 yuan per month. I don't have any holidays, but I can stay at the house as if it were my own. That's good. With the money I earn here, I can buy things for my grandchildren and send them back to North Korea. I am getting old now, and I do not intend to go back to North Korea.

#### **Case 31 Ms. Kim in Jilin Province, born 1963**

After I was sold to a mentally ill man in Heilongjiang Province for the price of 3,000 yuan in 1999, I lived with him for one and a half years. After I left him, I was introduced to two other men to live with. The first man was a Korean-Chinese man who was an

alcoholic. The second was from North Korea like me. I stayed with the North Korean man for 3 years moving from one place to another. At that time, I earned 300-400 yuan per month working in a restaurant or sometimes in people's houses. In the end, we could not continue our relationship. In April 2004, I went to Hunchun in Jilin Province with a Korean-Chinese woman because I heard that there were people there who organized clandestine transit to South Korea. Since then, I have been living alone, working as a domestic worker. I make on average 400 yuan per month. Once, I was almost a victim of trafficking; I was deceived by some people who said they would help me go to South Korea.

#### **Case 32 Ms. Kim in Jilin Province, born in 1980**

My family in North Korea was very poor. I came to China in 1999 to get help from my relatives living in China. They told me the only way to live in China was to get married. So, I was introduced to an ethnic Korean man who took me home after paying 2,000 yuan. I became pregnant soon and gave birth to a baby boy in 2000 when I was only 20 years old. The poor economic situation of the family did not get better, and now there were two more persons to feed in the family. In February 2004, my husband and his parents sent me to Inner Mongolia where some of their relatives lived, to make me work and earn some money there. So I went to Inner Mongolia and worked at a logging site for six months. I could not continue working there because it was too harsh and physically demanding for me. I returned home to Jilin Province. My husband's family is unhappy with me and now they are pressing me to find a way to go to South Korea so I can earn more money.

#### **Case 33 Ms. Lee in Heilongjiang Province, born in 1974**

After I came to China with my daughter in 1997, I was introduced to an ethnic Korean man in Heilongjiang Province who was 18 years older than me. I lived with him for 6 years. He worked on a farm, but we were very poor. I had to work at a small restaurant. After living 6 years with him, I wanted to leave him. He wouldn't let me go, so I just ran away with my daughter. Because I had to send my daughter to school, I worked at another restaurant for six months. I worked from 8 a.m. to 10 p.m. and earned 700 yuan per month. I was introduced to my current husband by one of the co-workers there. Since I have a newborn baby now, I cannot work outside [my home]. I would like to work again, when my baby becomes little bit older. My new husband and I have two children to raise.

#### **Case 34 Ms. Lee in Heilongjiang Province, born in 1945**

I had two sons and one married daughter in North Korea. My husband worked on a farm. After my daughter's husband died, she was tricked by a trafficker and sold to a Han Chinese man in Harbin, Heilongjiang Province in 2001. Later, she sent someone to North Korea to bring me and her daughter out of North Korea. So I crossed the border into China with my granddaughter in August 2002 and arrived in Heilongjiang Province. At first I stayed with my daughter, but then the three of us escaped from the house together. From January 2004 to March 2005, I worked at a nursing home for the elderly in Harbin. My daughter and her new Chinese husband worked there as well. We worked so hard even putting our own money into the place so that the nursing house turned into a completely different place where more people

began to come. But suddenly the head of the nursing house kicked us out, without any compensation for our work.

## **Some North Korean Women End Up Bettering their lives in China, Despite Harrowing Journeys and Experiences, but their Situations are Nonetheless Precarious**

### **Case 35 Ms. Park in Heilongjiang Province, born in 1973**

My father died when I was young. My brother also died when he was 22 years old, because of a liver ailment. I lived with my mother and another older brother in North Korea. My mother was originally from China, and came to North Korea during the Cultural Revolution. My mother had relatives living in Wangqing, Jilin Province. Therefore, in June 1996, I crossed the border with China, along with my mother, to seek help from her relatives. My mother went to live with her relatives in Wangqing. I was in hiding, and my mother's relatives were afraid of being reported to the police. My cousin introduced me to my current husband who lives in Heilongjiang Province. I had been introduced to two other men before I was introduced to my current husband, but I didn't like them at all.



**China's high-security Tumen Detention Center is where many women being sent back to North Korea are held awaiting their repatriation. Photo courtesy of T&C Research.**

### **Case 36 Ms. Lee in Heilongjiang Province, born in 1974**

I got married in 1994 and had one daughter in North Korea. My husband was a farmer and we lived a poor life. I heard people say that you can eat as much as you want in China. One day, when my husband went to see his parents in another province, I decided to leave North Korea with my daughter who was only three years old at the time. I was ready to leave my husband. In March 1997, I crossed the Tumen River with my daughter. I stayed about 20 days in the house of ethnic Koreans near the border. I was told that the only way to survive in China, especially if I wanted to stay

with my daughter, was to get married to a Chinese citizen. So, I agreed to get married and got on the train for Heilongjiang Province as I was told. When we arrived at the Mudanjiang station, the person who was to be my husband was waiting for us. He was a poor farmer who was 18 years older than me. I lived with him for six years, before I decided to leave him. After working in a restaurant for six months, I was introduced to my current husband by someone who became my friend. He accepted my daughter from North Korea as well. He works as a village doctor. Recently I gave birth to a new baby.

#### **Case 37 Ms. Yoo in Jilin Province, born in 1966**

My mother, husband, and one daughter all died between 1997 and 1998 in North Korea. Because I heard about people who went to China and earned money, I decided to go to China. In February 2003, I followed my Chinese relative who lived in Yanbian and crossed the border into China. I was arrested and sent back to North Korea in March 2003. As soon as I was released from a detention center, in May, I escaped again from North Korea. This time I was introduced to my current husband in Wangqing in Jilin Province by a relative. He is an ethnic Korean and works on a farm.

#### **Case 38 Ms. Kim in Jilin Province, born in 1964**

I had one daughter and one son from my ex-husband in North Korea. In April 2002, I crossed the border into China in order to earn some money. At first, I wanted to get a job working as a domestic helper. But because I could not speak any Chinese, it was difficult to find a place to work. When I was staying at the house of an acquaintance of a North Korean woman who crossed the Tumen River with me, the wife of my current husband's brother came by and introduced me to her brother-in-law to live with. When I was arrested and sent back to North Korea in April 2003, I was able to escape from North Korea again after one month, by giving bribes. At that time, my current husband came to the Tumen River to bring me home. Together with my husband, I grow rice, corn, and beans on the farm. I gave birth to a baby boy last year.

#### **Case 39 Ms. Lee in Heilongjiang Province, born in 1968**

I lived with my parents and four other siblings in North Korea. A few years after I got married, I divorced my ex-husband. In October 2000, I decided to go to China. I crossed the border into China with my older sister. At first, we got some help from the Korean-Chinese people living near the border. Later, my sister left saying she would go to Shandong Province. I have never heard from her since. As someone recommended, I went to Heilongjiang Province by train on my own. I arrived only two days after I crossed the Tumen River. When I arrived in the village where people said I would get help from ethnic Koreans, I told the people I first met that I would be willing to do anything to stay in China including getting married to someone. I married a Korean-Chinese man who had a daughter from his previous marriage.

#### **Case 40 Ms. Kim in Heilongjiang Province, born in 1945**

In North Korea, I had no family or relatives. One day, I went from Chongjin to Namyang, near the Chinese border, to sell things. People had told me that life in China is much better. So, I joined a group of people crossing the Tumen River in May 2000. After

crossing the river at night, we went to the only house with a light. There was only one man inside the house. We begged him for help and he gave us an address in Longjing. So, next day, we went looking for the place with this address. Finally, I got a job as a domestic helper and worked for two and a half years in Yanji and Longjing. After that, I went to Wangqing to work in a restaurant. There, a young woman who was also working in the restaurant introduced me to her father living in Heilongjiang. Since April 2003, I have been living with the 68-year-old man. The old man's children are supporting us, so we don't have to work.

#### **Case 41 Ms. Shim in Heilongjiang Province, born in 1975**

My older brother went to China. I followed his example and went there in March 2002. I crossed the Tumen River with three other North Koreans. On the Chinese side, I met with a Korean-Chinese woman who was nice to me. I told her I wanted to get married to a Chinese man. In September 2002, my current husband, a cousin of that woman, came to Tumen to meet me, and took me to his house in Heilongjiang Province. He had one 6 year-old daughter from his ex-wife. Later, the woman who introduced me to her cousin went to South Korea to earn money.

## **Because They Are Forced To, or In Order To Survive, Some North Korean Women Become Sex Workers in China**

#### **Case 42 Ms. Lee in Shandong Province, born in 1979**

My father died when I was young and my mother was sick. I had three siblings. I graduated from a teacher's college in North Korea and was hired by the municipal government as a writer. My mother was originally from China, who came to North Korea during the Cultural Revolution. She had many relatives in China. Because I worked for the municipal government, I had little contact with ordinary citizens outside and did not hear anything about people going to China. One day, in January 2001, my aunt and her friends invited me to go on a picnic. There were two cars and my aunt and I got separated into different cars. After driving all night, going through several mountains, we got out of the car at 6 a.m. the next morning. I soon realized I was already in Yanji, China and I was handed over to an Korean-Chinese gang who paid 4,000 yuan for me. Later, I learned that my mother thought I had been abducted and killed. She even burned all my clothes.

I was taken by the gang to Mudanjiang in Heilongjiang Province and detained in a room in a karaoke bar for one and a half months. During that time, one of the gang members treated me nicely and even gave me classical Chinese literature, in Korean, to read. It was then that I decided to be strong and explore this new world that I had been completely ignorant about. When the gang member told me he would get me a Chinese husband, I told him if I had no other option but to marry, I would like to marry a decent person. He introduced me to a 27-year-old man who was a local government official. I felt sad all of a sudden, and just a few days before I was supposed to go to live with this man, I ran away. I hid in a small motel room, but the gang member found me there. I gave in and went to live with the man who paid 7,000 yuan to the gang member. I lived with him until 2004. When I lived with him, I had to work hard on the farm. Because my husband worked for the municipal government, we managed to get along, but I was not happy with my life in this rural village and my



Old city center of Qingdao on the coastline.

head was always aching. Before I left him, I said to him “I took nothing from you. I didn’t even send any money to my family in North Korea. I gave you my youth and now I want some freedom back. That’s why I am leaving.”

When I first came to Qingdao in May 2005, I worked at a South Korean company for three months, earning 1,500 yuan per month. The company produced machine-made embroideries and I worked as a translator and secretary. In October 2005, I began to work as a secretary at another South Korean clothing company. I worked from 8 a.m. until 5 p.m. Someone I knew while I was in Heilongjiang Province offered me

a job working at a “boarding house” nights after 5 p.m. Following the directions and orders of the boarding house madam, the young women there, including me, would routinely go to karaoke bars and drink, sing, and dance with the male guests. Sometimes we would go out with the men and sleep with them. The guests are usually Korean-Chinese or South Korean men. We are supposed to report everything to the madam and, of course, give part of the money we earned to her.

In November 2005, I had to go through an operation to remove uterine tumors. The operation cost 500 yuan and I had to spend another 2,000 yuan for injections. The doctor said I needed additional operations and more treatments, so I had to quit my job working at the South Korean company, and now I work only at the boarding house or in karaoke bars.

Here in Qingdao, there are many South Korean companies and business people. That’s why many North Korean women come here thinking they can make some money. Unfortunately, they usually end up working at the boarding houses like me. Because we have to spend lots of money on our clothes, make-up, and accessories in addition to basic living costs, we can’t save as much money as we would like. But I have some dreams. I would love to learn English and computer skills. There are some private tutoring institutions teaching foreign languages and computer skills here in Qingdao. Once I am healthier and have enough money to learn these, I will quit working like this.

#### Case 43 Ms. Kang in Shandong Province, born in 1980

I am the third child among five in our family. I graduated from secondary school when I was 16 in North Korea. After graduation, I worked for half a year at a factory dealing with electronics, which I didn’t like at all. One day in August 1998, my friend and I followed a North Korean man who said he would take us to an interesting place for fun. Without knowing where we were going, we crossed the Tumen River with

the man. He took us to a house of an old couple who were ethnic Koreans. When I woke up next morning, he was gone. Two days later, the old woman handed us over to a man who looked about 30 years old. He came from Yanji and paid 4,000 yuan for us. After staying one night in Yanji, my friend and I were taken to Shandong Province by train. In Shandong, we were handed over to a Han Chinese man who had a North Korean woman as his wife. We went to the area called Weifang. After 15 days, my friend was sold to be the wife of a Han Chinese man. I stayed with the couple for four months, and I desperately begged them not to send me away. The wife of the Han Chinese man, who was herself a North Korean, sympathized with me and told her husband I was too young to get married. The couple even had quarrels over me. I said to them I would be willing to be adopted as a daughter to someone, but not a wife. I also told them I would work and pay the money they spent buying me. But, it was no use. In the end, the man sold me to a Han Chinese man for 10,000 yuan.

The Han Chinese man was about 34 years old at that time. I was only 18. He had worked for the police for 12 years. But when I met him, he was jobless. I also lived with the man's parents. In the first year, I worked on a farm. But later I got a job at the store making Chinese rice cakes. For the first four months, I got 300 yuan per month working from 6 a.m. till 6:30 p.m. And later, I was put in charge of my unit with higher pay, and continued to work there for six years. The economic situation of the family was so bad when I first got married, because of their debts. Only after two to three years of my working were they able to get out of debt.

The village I was living in was a Han Chinese village and I had no contacts with any ethnic Koreans or North Koreans for the first few years. The only way for me to learn to speak Chinese was by watching TV, but the man's mother didn't like me watching TV. She was afraid I would run away if I could understand Chinese. I was able to learn Chinese quickly because I worked at a store working with Chinese co-workers.

During this time, I tried several times to leave the place and find a better life. In 2003, I went to Jilin Province, along with the North Korean woman who was the wife of the Han Chinese man who had sold me. But after realizing that she was trying to sell me as a bride again, I went back to Shandong Province. In 2004, I gave birth to a son. There I was swindled by another North Korean woman in the neighborhood, and lost all the money I had been saving for the past five or six years. To make up for this loss, I decided to go to the city and earn money.

I came to Qingdao in July 2005. At first I stayed at a boarding house where seven North Korean women and three Korean-Chinese women were working together. The madam of that boarding house was a North Korean woman, but we were all let go. Now I live with only three other North Korean women in a boarding house and we work on a daily basis. We are connected to different karaoke bars, and they will call us when they need us. Because we have to pay for our own rent, which is about 10,000 yuan for one year, we are not able to earn much money. These days, I can save less than 3,000-4,000 yuan per month. I send some money to my Chinese family. Six years after I left North Korea, I was finally able to send a message to my family in North Korea. Now I send them some money too. My son does not yet have registration as a Chinese citizen, and we need some money for that as well.

Ever since I was young, I was very interested in clothing and fashion. My hope is that someday I can learn and work in the clothing and fashion business.

#### Case 44 Ms. Kim in Shandong Province, born in 1977

I was born in Pyongyang, but my family moved to Kwangwon Province when I was 7 years old. My father was a lecturer at a college and died from lung cancer in 1996. I graduated from medical school and worked as a doctor in the hospital. My mother went to China in 1995 to sell gold after she ran into debt. We did not hear from her from 1995 until 2002 when she was arrested in China and sent back to North Korea. My mother was released from *kyo-hwa-so* [small correction facility] after 10 months' imprisonment. Before she returned to North Korea, I was already engaged to a colleague in the hospital whom I knew from childhood. But because of my mother's unexpected return and imprisonment, my fiancé's parents opposed our wedding and our engagement was ended.

When my mother suggested I go to China with her, I just accepted. In January 2003, I crossed the Tumen River with my mother with the help of professional brokers based in Yanji. At that time, I saw one 18-year-old North Korean girl who was being trafficked and sold into marriage by the brokers. The girl was sold to some people who came from Shenyang in Liaoning Province for the price of 6,000 yuan. My mother and I went to Jiaohe in Jilin Province, where my mother had been living with a Han Chinese man for 7 years before she was arrested in 2002.

After staying with my mother and her Chinese husband for some time, I was introduced to a Han Chinese truck driver in Jiaohe. When I went to live with him, he had just bought a new truck at 56,000 yuan to start working as a driver. He did not have much money left. In 2005, I gave birth to a daughter. And soon after my daughter was born, I became pregnant again. I had to have an operation because it was an extra-uterine pregnancy. I lost a lot of blood before and during the operation. The operation cost 18,000 yuan and we had to borrow 8,000 yuan from others. When I recovered, I decided to go to Qingdao to earn some money so that I could pay the debt. I heard that there were many ethnic Koreans as well as South Koreans in Qingdao.

I went to Qingdao in April 2006. At first my husband opposed the idea, but he said he would trust me. I think he let me go because my mother lives in the same area and I was not like some others who have been sold into marriage. My husband is a better educated person who learned how to speak a little English. I used to communicate with him in basic English, which helped us develop more feelings toward each other. When I came to Qingdao, I knew that I would not be able to get a job in a company because I don't have a legal certificate. I heard that North Korean women like me usually work in the karaoke bars. But, I had to earn money to pay the debt and also, if possible, buy the household registration. I heard that you could buy it for 60,000 yuan. Besides, I have a child to raise and I don't want to be so helpless as to lose my own child someday.

Now I work at a boarding house where there are three ethnic Korean women and two North Korean women, including me, living together. We are sent to a number of karaoke bars where most of the customers are ethnic Korean and South Korean men. On average, I earn 300 yuan per day. Out of about 10,000 yuan I earn every month, I can save 4,000-5,000 yuan. I send some of this money to my Chinese family in Jiaohe and sometimes I visit them. This kind of life is not easy, but I am doing this for a better future for myself and my family.

#### **Case 45 Ms. Roh in Shandong Province, born in 1984**

I lived with my parents, one older sister, and one younger brother in North Korea. My father worked at a train station. I worked in the mine as a crane operator for two years earning 3,000-4,000 won (North Korean currency) per month. But, I wanted a better life for myself and my family. So in September, 2005, I crossed the border into China, with a North Korean smuggler. I was handed over to a Han Chinese man who had been waiting for me at the border. Then, I came to Zhucheng in Shandong Province, which is a two-hour ride from Qingdao, and lived with this man for about a year. Because at that time I didn't know where I was in China, I had no other option than staying where I was. I was able to learn Chinese fast, since all the people in the village were Han Chinese. I also worked at home using an electronic sawing machine, earning 600 yuan per month. My husband also earned 1,000 yuan per month by working in a factory. Therefore, we were not very poor. However, I never intended to stay there because I wanted to earn more money and help my parents in North Korea. In September 2006, I arranged to run away from the house by taking a taxi to Qingdao and joining up with another North Korean woman.

In Qingdao, I live in a small apartment I rent with one Korean-Chinese woman and a North Korean woman who is 19 years old. We don't have a designated workplace, but work in different karaoke bars. I have been trying to make contact with my family in North Korea, but it has not been so easy. I thought I could earn a lot of money in China, but it's not as easy as I thought. But I cannot go back to North Korea either, so I will have to see how things go here in Qingdao.

#### **Case 46 Ms. Jung in Shandong Province, born in 1983**

I lived with my parents in North Korea as an only child. Both my parents were laborers and we were not very poor. I graduated from a college. I had often heard you could make a lot of money in China. So I decided to go to China and crossed the Tumen River in October 2004 with a North Korean man. I had been introduced to this man by a friend. The man took me to Longjing and handed me over to an ethnic Korean woman. The woman said she would find me a job and made me stay there for one week. Then, I was sent to Zhucheng in Shandong Province where I was handed over to a 36 year old Han Chinese man who had been waiting for me at the station. I had to live with him in the Han Chinese village for almost two years.

In September 2006, after I heard that a woman I used to know in North Korea had gone to Qingdao, I left for Qingdao. Right now, I am working in a South Korean restaurant earning 1,200 yuan per month. As I am living with other North Korean women, I sometimes go to karaoke bars with them to make extra money. All I want is to earn enough money to return to North Korea where my parents are. I want to help my parents because they have sacrificed a lot for me—even sending me to college in North Korea—by working hard.

#### **Case 47 Ms. Kim in Shandong Province, born in 1980**

I lived with both my parents and three siblings in North Korea. My father used to work in a munitions factory and we raised some livestock on our own land. So, we lived a better life than most people in the neighborhood. But when my father was struck by a brain hemorrhage in 1998, things became difficult. I used to work in the

same factory where my father worked, designing machines. The factory even supported me to attend college, which I didn't finish. I got married in 2001, but in 2004 I lost both my husband and our child after they contracted tuberculosis.

Starting in 2003, I used to go to Rajin District to sell things like mushrooms, herbs, and agricultural products. There I met the husband of my friend's sister. He had relatives in China. In September 2004, I crossed the Tumen River with him and went to Longjing. From Longjing, I was told to go to Yanji where I was supposed to meet someone who could help me. But in Yanji I got lost. I just sat down on the street. A Korean-Chinese policeman helped me. I told him I came to visit my relative, and eventually I was able to find my way to Qingdao.

I went to Qingdao by train via Shenyang. At first, I worked in a restaurant earning 800 yuan per month. Then, from August 2005, I started working in a karaoke bar, earning 4,000-5,000 yuan per month. I live with my boyfriend who is an Korean-Chinese. He does not have a job now. I don't think about going to South Korea. I want to make enough money so that I can support my family in North Korea and also get a household registration for myself in order to live in China safely.

## **With Little or No Protection Against Forced Return, North Korean Women in China May Be Arrested, Sent Back and then Detained or Imprisoned in North Korea. Some Later Make Their Way Back to China.**

### **Case 48 Mrs. Kim, in Jilin Province, born in 1965**



**This woman lost eyesight of her left eye after getting a punched in her eye during an interrogation when she was repatriated back to North Korea in May 2005, after 8 years in China. On her second escape from North Korea, she suffered frostbite in her right foot, but could not afford to get medical help. (Picture taken in April 2006)**

I was an orphan in Kyongwon-gun, North Hamgyong Province North Korea. Because of the difficulty of getting food, I decided to go to China. I crossed the border in January 1998 alone. Right after crossing the Tumen River, I met an ethnic Korean man who took me to the city of Tumen. From there, I was sold to my current husband, who is an ethnic Korean, for 3,000 yuan. From 1998 to May 2005, I lived with my husband working on a farm. I had good relationships with my neighbors in the village.

In May 2005, two Chinese policemen came to my house and asked me to come with them. They said they wanted to provide me with registration documents. Later I realized that they had lied to me and meant to send me back to North Korea. My husband tried to save me by paying “fines,” but the police would not accept these.

From Tumen (the town on the Chinese side of the River), I was sent to Onsong *Bowibu* [State Security Agency] in North Korea, where I was interrogated and detained for 4 weeks. During the interrogation, the man who was asking me questions suddenly punched me in my left eye with his fist. My eyeball cracked and I lost eyesight in that eye immediately. I was sentenced to 3-months labor in *Nodongdanryundae* [Labor Training Camp] in Gyungwon-gun, my hometown. By that time, I realized I was pregnant.

I had to do hard labor as a pregnant woman in the Labor Training Camp, where detainees were frequently beaten. After 3 months, I was able to escape while we were being taken to a distant farm to work. I had no family or friends left in North Korea, and thus wanted to return to my husband in China who was the father of my baby, who was soon to be born. In December 2005, when it was snowing heavily, I crossed the Tumen River for the second time and climbed the mountains all night to get to the village near the border, where my husband was waiting for me. I caught very bad frostbite on my toes and on the sole of my foot from running the icy cold paths in the mountains with one foot bare. My foot was bleeding and my flesh seemed to rot. I could not buy medicine or see a doctor, because we were too poor. In the meantime, I gave birth to my baby in January 2006, one month after I crossed the border again and rejoined my husband in China.



**When forcibly returned to North Korea, many women are sentenced to long terms in prisons like this Kyo-hwa-so in Kaechon, North Korea (See Case 44), published by HRNK in *The Hidden Gulag*, (2003) p. 118.**

#### **Case 49 Ms. Kim in Heilongjiang Province, born in 1976**

My father died when I was young. I had one older brother and two younger brothers in North Korea. Because it was difficult to get food, I went to China in August 1998 with four friends. I stayed in Longjing for about one month. There I met an Korean-Chinese woman who later became my mother-in-law. I followed her to Heilongjiang Province to live with my current husband. He used to work in a South Korean company in Qingdao a few years ago, until he quit because of a health problem. I also worked in the cafeteria of a South Korean company in the southern Chinese province of Guangzhou. I worked there for three months earning a total of 1,200 yuan before I was arrested by the police for not having an ID certificate. I was sent back to North Korea, but later escaped again.

#### Case 50 Ms. Baek in Heilongjiang Province, born in 1974

I was sold to a Korean-Chinese man right after I crossed the border into China in 1998. I gave birth to a girl baby in 1999. Since my husband had borrowed 5,000 yuan to buy me as a bride, he was already in debt. He used to work in a mine, but had to quit because of health problems. We were so poor that I could not even buy eggs while I was pregnant. Our debts only increased. Therefore, in September 2001, when my daughter was only 2 years old, I left home alone and went to Tianjin, near Beijing, to find work. Relatives of my husband helped me get a job at a restaurant there. I worked there for six months before I was arrested by the police and sent back to North Korea. When I was released after three months in a detention center, I crossed the Tumen River with two other North Korean women, only to be caught again. I was sent back to my hometown and interrogated by the State Security Agency. I cried and begged them, saying I must go back to my little baby. With the help of another North Korean woman who knew some officials there, I was released after only one month. In January 2003, I crossed the Tumen River for the third time. I had to work for 6 months to pay back the money I owed to the border patrols, which was 3,000 yuan. After two years, I was finally able to return to my family in Heilongjiang Province in August, 2003. In January 2004, I went to Tianjin again to work at a restaurant and made my way back home in April 2005. Then, our whole family moved to Guangzhou where my husband's relative runs a company and we worked there for 6 months. I returned to our home in Heilongjiang with my daughter in December 2005, because of pain in my legs, probably caused by my frequent border-crossings.

### **A Source of Anxiety and Exploitation of North Korean Women in China is their Illegal status; Only a Few Have Been Able to Obtain Recognition and Protection as Residents from the Local Authorities although Few of their Children Get Registration**

#### Case 51 Ms. Choi in Jilin Province, born in 1981

I came to China at the age of 18, and was married to an ethnic Korean man in the rural village of Jilin Province. Because my husband is sick, I have to go out and work. I work for a small embroidery company. I gave birth to a child in August 2002.

In December 2002, two men from the local police came to our house and took pictures of my new-born baby and the whole family. They asked me several questions and wrote down my answers in a document. They told me that it was as good as making the hukou [household registration]. At that time, there were four other North Korean women in our village, and only those who had children born in China were given this opportunity.

In July 2004, while I was working at my workplace, policemen came and took me to the police station. Someone had reported me to the police. There, the two men who had come to my house in 2002 and had taken pictures found me and said to their colleague "We know this woman. How come she is here? She has a newborn baby here and we have already taken pictures of her family. She should be sent home." Soon afterwards, with the help of a relative of my husband who works at the police, I was safely released.

**Case 52 Ms. Park in Jilin Province, born in 1971**

I came to China in 2004 in order to sell herbs and earn some money. I was deceived by a North Korean woman who lived in my neighborhood and handed me over to ethnic Korean people who sold me to my current husband. I gave birth to a child in 2005. In March 2006, the head of the women's association in our village came to our house, saying that the hukou for the new-born baby should be sorted out. She said that during the year while I was still pregnant, the local police paid visits to the houses of North Korean women who had children and made a registration certificate for them.

**Case 53 Ms. Lee in Jilin Province, born in 1972**

I came to China in 2001 at the age of 30 and was introduced to an ethnic Korean man to live with. I gave birth to a son in 2002. There are about 30 ethnic Korean households in the entire village of over 100 households, and the only young women left in the village are all North Korean women who are married like me.

In February 2004, the local police made temporary residence permits for the five women from North Korea in our village, including me. The five were all married and had children born in China at that time. They took pictures of our families, including the children, and attached the pictures onto the documents they produced. There were similar investigations in 2005 as well, when I was summoned to the police station. The police told me that I would be safe as long as I remain in the same county and under their jurisdiction.

## Policies that Fail to Protect the Rights of North Korean Women in China

The foregoing personal accounts provide distressing insights into the plight of North Korean women victimized by trafficking. They are accounts of women who were willing to be interviewed—that is, women who felt they could speak about their circumstances. Their testimonies therefore do not necessarily represent the experiences of the entire population of women who flee North Korea and whose circumstances may not allow them to be interviewed. Indeed, these accounts must be read in the context of other reports of women who fled North Korea who may have faced even more difficult and abusive circumstances.

The U. S. State Department's 2008 "Trafficking in Persons Report," for example, recounts the tale of a 19-year-old girl, So-Young, who had been deceived by a promise of a high-paying job in China and ended up being sold to a 40-year-old Chinese man. She escaped from this so-called "marriage" but was caught and deported back to North Korea, was imprisoned, and escaped to China again, only to be kidnapped by traffickers who repeatedly raped her before selling her to another "husband."<sup>32</sup>

In his article in the February 2009 *National Geographic*, Tom O'Neill recounts the stories of two young women who ended up in internet sex operations. One, a 15-year old teenager who escaped to China, was taken in by a North Korean woman who herself had been sold into a marriage with a Chinese farmer. After several years, she ended up in an internet sex operation owned by a Korean-Chinese. The other, a 26-year-old woman, had been promised a well-paying job in the computer industry, but was sold to the same internet sex operation, where she was locked in a room and forced to do sexually humiliating acts in front of a camera. Both of them escaped from this operation with the help of a South Korean pastor but continued to fear that the owner of the sex operation would hunt them down.<sup>33</sup>

Mike Kim, who provided humanitarian assistance for North Koreans in China for over three years, wrote in his book, *Escaping North Korea*, that there is a network of traffickers along the border using dogs to capture any North Koreans the moment they cross the border. Kim claims that some women who had been sold were beaten and tied to chairs or beds by their "husbands" or their families, only to be released for short periods of time to perform chores around the house or fulfill their "sexual obligations."<sup>34</sup>

In a *National Review* article in 2005, Donna M. Hughes said that Chinese men hunt for North Korean women hiding in forests to sell these women into "marriage" after raping them. In this article, she told a disturbing story of a 22-year-old daughter who had requested help from a human rights activist because the Chinese farmer was not paying her and her family for their work. When the activist arrived to help the women, five men were leaving. Inside, he found the daughter with her clothes ripped and torn—she had been raped in front of her parents, who were helpless to prevent it.<sup>35</sup>

<sup>32</sup> US State Department, *Trafficking in Persons Report 2008* (Washington D.C.: 2008), p. 24. Available online at: <http://www.state.gov/documents/organization/105501.pdf> [accessed 9 April 2009]

<sup>33</sup> Tom O'Neill, "Escaping North Korea," *National Geographic Magazine*, February 2009 (Washington, D.C.: National Geographic Society), p. 74.

<sup>34</sup> Mike Kim, *Escaping North Korea: Defiance and Hope in the World's Most Repressive Country* (Lanham, MD: Rowman & Littlefield Publishers, inc., 2008), pp.83-84, 91.

<sup>35</sup> Donna M. Hughes, "How Can I be Sold Like This?: Trafficking of North Korean Women Refugees," *National Review Online*, July 19, 2005. Available online at: [http://www.uri.edu/artsci/wms/hughes/trafficking\\_nk\\_refugees.pdf](http://www.uri.edu/artsci/wms/hughes/trafficking_nk_refugees.pdf) [accessed 9 April 2009]

The terrible ordeals endured by North Korean women underscore the failure of their own government to provide for their well being and security and the failure of their country of asylum, China, to provide for their basic protection. To ameliorate their human rights situation, they must be recognized as victims of trafficking, as refugees in need of international protection and, in some cases, as members of families in China who need regularized status.

## The Rights of North Korean Women in China as Victims of Trafficking

The majority of North Korean interviewees in China were living in a form of *de facto* marriage. Most of the “marriages” were a consequence of trafficking in which the women were bought and sold and transferred, often forcibly, to their new families. The trafficking of North Korean women into “marriage” involves the same three components that define trafficking: (1) the transfer/movement of people (2) by use of coercive means (3) for the purpose of exploitation. Each element will be discussed in more detail below.

### Trafficking as Defined by International Law

The “Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children” (the “Trafficking Protocol”) adopted by the UN General Assembly in November 2000,<sup>36</sup> is the principal international legal instrument dealing with international trafficking of women and children. It has been signed by 117 states and ratified by 110, notably *not* including China.<sup>37</sup> It defines *trafficking* as the term is currently used in international law.

“Trafficking in persons” is defined in Article 3 of the Protocol. To simplify, trafficking of adults consists of these three elements:

1. The recruitment, transportation, transfer, harboring, or receipt of persons
2. Using the following means:
  - threat or use of force or other forms of coercion,
  - abduction,
  - fraud,
  - deception,
  - abuse of power or of a position of vulnerability, or,
  - giving or receiving of payments or benefits to achieve the consent of a person having control over another person.

---

<sup>36</sup> The Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, was adopted by General Assembly resolution 55/25. It entered into force on 25 December 2003. It is the first global legally binding instrument with an agreed definition on trafficking in persons. The intention behind this definition is to facilitate convergence in national approaches with regard to the establishment of domestic criminal offences that would support efficient international cooperation in investigating and prosecuting trafficking in persons cases. An additional objective of the Protocol is to protect and assist the victims of trafficking in persons with full respect for their human rights.

<sup>37</sup> Unfortunately, China is not a party to the Trafficking Protocol even though it is a party to the Convention against Transnational Organized Crime (the “Palermo Convention”), the instrument the Trafficking Protocol was designed to supplement. This means that the definitions and obligations set out in the Trafficking Protocol are not legally binding upon China, however, the definition of trafficking may still be used as supplemental source in interpreting the meaning of “Trafficking” mentioned in the preamble of the Palermo Convention, and China’s obligation to suppress all forms of trafficking women under Article 6 of the Convention on the Elimination of All Forms of Discrimination against Women (“CEDAW”), which China has signed. Also, due to the wide acceptance of the Trafficking Protocol, the definition of trafficking in the protocol is a good point to start when discussing trafficking in China.

Where any of the means set forth above have been used, the consent of a victim to the intended exploitation is irrelevant.

3. For the purpose of exploitation, including, at a minimum:
  - the exploitation of the prostitution of others,
  - other forms of sexual exploitation,
  - forced labor or services,
  - slavery or practices similar to slavery,
  - servitude, or,
  - the removal of organs.

In each of the interviews there has been some form of “recruitment, transportation, transfer, harboring, or receipt of persons” involved, and therefore the first element of the definition is found in each of these cases.

The interviews also clearly show evidence of the second element—coercive or deceptive means in transferring or transporting the victims. Many of the accounts mention that the victims fell asleep after eating or drinking something the perpetrators had given them, which would constitute a “use of force,” or “abduction.” Mrs. Lee in Case 2 said, “he gave me something to eat and some water. These must have been drugged, because after I had them, I lost consciousness. When I awoke, I found myself in a house on the Chinese side of the border.” Some speak of being deceived by the trafficker’s proposition that they would be able to sell merchandise for more profit in China. Many of the interviewees were promised jobs like Mrs. Lee in Case 5 who was approached by a North Korean man in her village and asked if she wanted to go to China to find a new life, but was then sold as a bride in Heilongjiang. The traffickers’ actions in these cases constitute “fraud,” “deception,” or “other coercive means.”

There can be no doubt that “abuse of power or of a position of vulnerability” applies in these cases. Once North Korean women are on the Chinese side of the border, they find themselves in an extremely vulnerable position. They have ample reason to fear being repatriated to North Korea, where they will be punished for crossing the border, and they clearly suffer abuse at the hand of the traffickers who sell them to Chinese men.

Moreover, in many of the cases, the traffickers received “payments or benefits” for the North Korean women, and since the North Korean women are under the “control” of the traffickers once they cross the border (due to their extremely vulnerable position and lack of knowledge about Chinese society), there has been “giving or receiving of payments or benefits to achieve the consent of a person having control over another person.”

Only one of the means enumerated above needs to be proven to satisfy the second element, but it is clear that in the case of these North Korean women, a combination of many factors is often present.

Finally, the third element, “for the purpose of exploitation,” also applies to the cases in the accounts. The Trafficking Protocol encompasses the exploitation of the prostitution of others, other forms of sexual exploitation, forced labor exploitation, slavery or practices similar to slavery, servitude, and the removal of organs as constituting the purpose of exploitation. These aspects of exploitation are by no means exhaustive and forced “marriages” would be another form of exploitation under this definition. On the list itself, at least two types of exploitation could apply to North Korean women who have been forced to non-consensual marriage in the process of trafficking: “other forms of sexual exploitation” and “slavery or practices similar to slavery.”

“Marriage” tends to comprise a “sexual” relationship by its nature. While a sexual relationship in a marriage is not considered “exploitation” per se, relationships resulting from trafficking can be assumed to raise the question of exploitation. Article 16.2 of the Universal Declaration of Human Rights says that “[m]arriage shall be entered into only with the free and full consent of the intending spouse.” Yet as the accounts reveal, in many of the cases there has been no “free and full consent” by the wives to be. In fact, many came to know of their “marriage” only after it had already been arranged. Their opinion was not taken into consideration at all. Several women who had been interviewed testify that they had been or had almost been sold to different “husbands” and when wives are resold for a price like the ones cited in these stories, the intent of the husbands in “marrying” these women can hardly be said to be the genuine intent that one would expect from marriage (e.g., Cases 2, 14, 20, 23, 31, and 43). Therefore, a sexual relationship that is grounded on a marital relationship such as in the cases described here cannot be justified under the guise of “marital relationship,” but would rather constitute “sexual exploitation” as described in the third element.

In addition, these so-called “marriages” are not sanctioned by the Chinese government and the North Koreans do not become legal residents of China despite such “marriages” to Chinese residents. Therefore, neither the women nor their marriages are protected under Chinese law and the North Korean women continue to fear repatriation to North Korea. This puts the women in grave danger of being subject to “a form of slavery or practices similar to slavery.” For example, in Case 32, Ms. Kim says that her husband sent her to Inner Mongolia to earn money for work that was “too harsh and physically demanding” for her, and when she had to return, her husband’s family was unhappy and pressured her to go to South Korea to earn money. The marriage of which she was a part was clearly a coerced relationship.

The accounts collected from China reveal that some North Korean women were married in North Korea and that they had children there, before they were “sold” or “forced” into “marriage,” and therefore they had strongly objected to their new marriage arrangements (e.g., Cases 2, 5, 7, 9, 11, and 36). However, because of their powerlessness and the imminent fear of being repatriated to North Korea, they were forced to accept the reality of having to remain in their forced marriage.

In short, even though there are some who might be “satisfied” with their new life in China despite having no legal rights and protections, their situation is akin to a slave’s destiny of having been fortunate enough to meet a good master. The woman’s satisfaction about such an arrangement will depend heavily on the temperament and whim of the “husband” she had no choice in selecting. All these facts suggest that the cover of “marriage” tends to hide its true nature—“sexual exploitation” and in some cases even “slavery.”

Yet it is sometimes said that many North Korean women who end up living with Chinese men in the form of *de facto* marriage may have given their consent to the relationship, and therefore cannot be considered victims of trafficking. People can and sometimes do “consent” to various forms of exploitation under extreme circumstances, but the fact remains that they were transported, coerced by circumstances, and exploited. It does not matter whether the North Korean women were motivated by an interest in bettering their lives or even whether they may have appeared to consent to going to China. As stated in Article 3(b) of the Trafficking Protocol, whatever consent may have been obtained through any of the means utilized above would be “irrelevant,” because consent voiced by the victim cannot be used to justify the act of trafficking if the other conditions are met.

A source of insight on this matter comes from the General Recommendation of the UN Committee on the Elimination of All Forms of Discrimination against Women.<sup>38</sup> In its elabora-

<sup>38</sup> General Recommendation No. 19 adopted at the 11th session of the UN Committee on the Elimination of All Forms of Discrimination against Women in 1992.

tion on Article 6 of the Convention on the Elimination of All Forms of Discrimination against Women (“CEDAW”), which is related to trafficking of women, the Committee identified “new forms of sexual exploitation” beyond established forms of trafficking. These include sexual tourism, the recruitment of domestic labor from developing countries to work in developed countries, and organized marriages between women from developing countries and foreign nationals. It adds that these practices are incompatible with the equal enjoyment of rights by women and with respect for their rights and dignity, putting women at special risk of violence and abuse.

From the discussion above, it becomes clear that the trafficking of North Korean women into and within China can well be said to constitute “trafficking in persons” under international law. This is a crime that China is obligated to suppress according to the Convention against Transnational Organized Crime (the “Palermo Convention”) and Article 6 of the Convention on the Elimination of All Forms of Discrimination against Women, both of which China has ratified. In addition to criminalizing the act of trafficking, however, China should also provide a level of protection for the victims of trafficking in conformity with the standards enumerated in the UN Trafficking Protocol.

### **China’s Trafficking Policy and Its Lack of Protection for Victims**

China has undertaken a significant effort in combating trafficking, but its policies are focused on punishing traffickers and keeping illegal immigrants out rather than providing protection for the victims of trafficking.

A news report in an official Chinese newspaper noted that from 2001-2004, the Public Security Bureau cracked down on 24,809 cases of trafficking of women and children, with 26,636 traffickers captured and 51,164 women and children rescued.<sup>39</sup> During the period 1991-2000, the Public Security Ministry of China organized four large-scale campaigns directed at combating trafficking in certain areas of the country.

The Chinese government has strengthened its laws<sup>40</sup> to combat trafficking of children and women over the last two decades, so that any activity of kidnapping, buying, selling, transferring, sending or receiving children or women for the purpose of human trade is now considered trafficking. Punishment ranges from imprisonment to the death penalty.

A Decision on the Severe Punishment of Criminals Engaged in Trafficking and Abducting Children and Women was taken by the Standing Committee of the National People’s Congress on September 4, 1991. It strengthened punishments for the crimes of kidnapping and trafficking. In 1994, the Standing Committee of the National People’s Congress passed “Supplementary Provisions on the Severe Punishment of the Crimes of Organizing or Transporting Others Person(s) to Illegally Cross the National Border.” The revised Criminal Law of the People’s Republic of China, revised in 1997, contains specific clauses on human trafficking and organizing secret crossings of the national border, which enables it to deal with trafficking which occurs across the Chinese national boundary as a crime.

Yet in spite of the laws on the books, there has been little effort to protect the victims of trafficking, in particular North Koreans. As mentioned earlier, China signed and ratified treaties such

<sup>39</sup> “Over 50,000 Women and Children Rescued from Trafficking Gang over the Past 4 Years,” *People’s Daily Online*, August 17, 2005.

<sup>40</sup> IPEC Task Team of the Yunnan Provincial Statistics Bureau, *The Mekong Challenge, Analysis Report of the Baseline Survey for TICW Project Phase II in Yunnan Province* (Bangkok: International Labour Organization, 2005) Available online at: <http://www.humantrafficking.org/uploads/publications/yunnan.pdf> [accessed 9 April 2009]

as the Palermo Convention and the CEDAW, which contains provisions that obligate China to combat trafficking as a crime, yet China did not sign the Trafficking Protocol that contains provisions to protect the victims of trafficking.

Human rights organizations have pointed out several serious problems with China's current anti-trafficking approach,<sup>41</sup> and the UN Committee on the Elimination of Discrimination against Women in August, 2006, made the following points related to the Chinese current anti-trafficking efforts and frameworks:

... the Committee is concerned that the definition of trafficking in the Penal Code is limited to the purpose of exploitation of prostitution and is therefore not in line with international standards. The Committee also expresses concern that the continued criminalization of prostitution disproportionately impacts on prostitutes rather than on the prosecution and punishment of pimps and traffickers. It is also concerned that prostitutes may be kept in administrative detention without due process of law.<sup>42</sup>

The UN Committee called on China to “bring its domestic legislation in line with international standards and to speedily complete, adopt, and implement the draft national programme of action against trafficking.” For the benefit of the women who have already been trafficked in China, the following recommendation offers some hope:

...[The Committee] requests [China]... to provide all necessary assistance to the victims of trafficking. The Committee also urges [China] to take measures aimed at the rehabilitation and reintegration of women in prostitution into society, to enhance other livelihood opportunities for women to leave prostitution, provide support for them to do so and to prevent any detention of women without due legal process...<sup>43</sup>

## Protecting North Korean Women as Refugees: Their Right to a Determination Procedure and Their Right Not be Repatriated

China considers North Korean women and men who fled North Korea's oppressive regime “economic migrants,” and not refugees. Almost all, however, can be considered “refugees” under international law. As an earlier report of the Committee for Human Rights in North Korea argued,

---

<sup>41</sup> See Human Rights in China, *Parallel NGO Report on the Implementation of CEDAW in the PRC to the Committee* (New York: 2006) Available online at: [http://hrichina.org/public/PDFs/Submissions/HRIC\\_CEDAW-2006.pdf](http://hrichina.org/public/PDFs/Submissions/HRIC_CEDAW-2006.pdf) [accessed 9 April 2009]

This parallel report was submitted to the Committee on the Elimination of Discrimination against Women in advance of its review of the combined fifth and sixth periodic reports of the People's Republic of China on implementation of the Convention on the Elimination of All Forms of Discrimination against Women in its 36th session on August 2006. It points out that while the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, includes “The abuse of power or of a position of vulnerability” for possible methods of victim recruitment, article 240 of the Chinese Criminal Law only mentions abduction and kidnapping. Arguing that “Chinese Criminal Law does not fully address the possibility that many victims may be lured away due to their vulnerable position rather than through violent means,” the report specifically cited the example of North Korean trafficking victims in China in the endnote. The report also points out that “In executing legislation and policy designed to address trafficking issues, the PRC has focused almost exclusively on exploitation through prostitution, ignoring other forms of exploitation such as sex tourism, domestic servitude, and arranged marriages.”

<sup>42</sup> Committee on the Elimination of Discrimination against Women Thirty-sixth session, *Concluding comments of the Committee on the Elimination of Discrimination against Women*, CEDAW/C/CHN/CO/6, August 2006, para. 19. Available online at: [http://www.un.org/womenwatch/daw/cedaw/cedaw36/cc/CHINA\\_advance%20unedited.pdf](http://www.un.org/womenwatch/daw/cedaw/cedaw36/cc/CHINA_advance%20unedited.pdf) [accessed 9 April 2009]

<sup>43</sup> *Ibid.*, para. 20.

Most if not all of the North Koreans in China have a *prima facie* claim to refugee status, not only because of (1) the persecution through human rights violations that many have already experienced or fear experiencing in North Korea, but also because (2) food is distributed by the North Korean regime based on political loyalty, which means that the famine itself has a persecution element; and (3) under the North Korean penal code, North Koreans who are returned from China are subject to extremely harsh penalties—in some cases even the death penalty—which means that the North Koreans become “*refugees sur place*” while in China.<sup>44</sup>

## North Korean Women in China are Refugees or *Refugees Sur Place*

The basic international agreements to be referenced when discussing the definition of “refugees” are the 1951 United Nations Convention Relating to the Status of Refugees (“Refugee Convention”) and the 1967 Protocol Relating to the Status of Refugees (“Refugee Protocol”).<sup>45</sup> The 1951 Convention’s definition of refugees consists of three parts: a general definition; a description of when refugee status ceases to apply to a particular person, and a list of situations in which a person does not warrant, or should not be given, the protection that comes with refugee status.<sup>46</sup> To make these distinctions practicable, the United Nations High Commissioner for Refugees (UNHCR) published the “Handbook on Procedures and Criteria for Determining Refugee Status Under the 1951 Refugee Convention and the 1967 Protocol relating to the Status of Refugees” (the “Handbook”) in 1979. It provides guidance as to the interpretation of the 1951 Refugee Convention and the 1967 Protocol.<sup>47</sup>

A refugee is defined as a person, who “owing to a 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 their nationality;” and who “is unable to or, owing to such fear, is unwilling to avail himself of the protection of that country.” The critical element in the definition is the “well-founded fear” of persecution. The Handbook points out that the process of determining whether an individual has a well-founded fear of persecution requires a subjective assessment of the subject person’s state of mind, i.e. “fear,” and objective assessment of the circumstances.

As stated above, the refugee definition centers on whether there is a valid fear of persecution should one be returned to one’s country; it makes clear that the circumstances that led to flight do not necessarily determine refugee status by itself. It is possible to develop a “well-founded fear of persecution” after fleeing one’s homeland. The UNHCR Handbook categorizes a person in this predicament as a *refugee sur place*; that is, “[a] person who was not a refugee when he left his country, but who becomes a refugee at a later date.”<sup>48</sup>

---

<sup>44</sup> HRNK Refugee Report, p. 41.

<sup>45</sup> Currently, 144 states are party to the 1951 Refugee Convention and 144 states are party to the 1967 Protocol. China also became party to both the 1951 Refugee Convention and the 1967 Protocol in 1982.

<sup>46</sup> UNHCR, *Handbook on Procedures and Criteria for Determining Refugee Status Under the 1951 Refugee Convention and the 1967 Protocol relating to the Status of Refugees* (Geneva: 1979), para. 30. Hereafter cited as “Handbook”, available online at: [http://www.aedh.eu/IMG/pdf/handbook\\_20on\\_20the\\_20procedures\\_20for\\_20determining\\_20refugee\\_20status.pdf](http://www.aedh.eu/IMG/pdf/handbook_20on_20the_20procedures_20for_20determining_20refugee_20status.pdf) [accessed 9 April 2009]

<sup>47</sup> Although this document is not legally binding, it has a strong de facto impact on how the 1951 Refugee Convention is interpreted.

<sup>48</sup> Handbook, para. 94.

The Handbook mentions two situations that can lead to a person becoming a *refugee sur place*: 1) “circumstances arising in his country of origin during his absence,” or 2) “as a result of his own actions, such as associating with refugees already recognized, or expressing his political views in his country of residence.” Because the examples provided under 2 are illustrative and not exhaustive, the phrase “as a result of his own actions” can be interpreted, in the case of North Korea, to encompass the act of being outside one’s country without permission, which the North Korean government considers an offense against the state deserving of persecution and punishment. The persecution and punishment to which the North Koreans will be subject should they return or be returned make the North Koreans, in the view of leading experts, *refugees sur place*.<sup>49</sup> Additionally, many people who flee to China develop views and associations considered unacceptable and subject to punishment by the regime in North Korea. Again, the persecution and punishment they will face as a result of their experiences in China will make them *refugees sur place*.

North Korean women and girls in China can be considered refugees or *refugees sur place*. They are outside their country and cannot return due to a well-founded fear of persecution. This fear may be related to their family or political associations within North Korea or simply because they chose to leave. Women, like others who fled from North Korea, are treated as traitors simply due to their departure.<sup>50</sup> North Korea metes out punishment particularly harshly to those who (1) had contact with foreign missionaries, aid workers or journalists; (2) married, became pregnant or showed other evidence of sexual liaison in China; (3) had prolonged residence in China, or (4) made efforts to gain asylum in South Korea or other countries. North Korean women who leave and are victims of trafficking would squarely fall under any number of these aggravating factors that could subject them to punishment. Some reports recount incidents in which pregnant women had forced abortions administered to them upon their return to North Korea.<sup>51</sup>

Of course, the reasons for North Korean women’s fear will differ in individual cases. Some women may fear punishment upon return because of the religious people with whom they associated in China. Others might develop political opinions they know will not be tolerated by the North Korean authorities. Although the Handbook states that these opinions have to be either “expressed or come to the attention of the authorities,”<sup>52</sup> it also concedes that situations may exist in which “the mere fact of refusing to avail himself [or herself] of the protection of his [or her] Government, or a refusal to return, may disclose the applicant’s true state of mind and give rise to fear of persecution..”<sup>53</sup> Again, the grounds for justifiable “well-founded fear of persecution” can differ from case to case, but it is clear that when assessed in the totality of circumstances, a great majority of the North Korean women in China would fall into one or more of these categories, and the Chinese government has erred in refusing to recognize this.

---

<sup>49</sup> See for example International Crisis Group, “Perilous Journeys: The Plight of North Koreans in China and Beyond,” *Asia Report* No. 122 (Seoul/Brussels: 2006) Available online at <http://www.crisisgroup.org/home/index.cfm> [accessed April 9 2009]; Joel R. Charny, Op. cit. ; Human Rights Watch (2002), Op. cit.;

<sup>50</sup> The UN Commission on Human Rights has expressed its deep concerns to North Korea in paragraph 1(b) of “Resolution 2004/13 on the Situation of Human Rights in the Democratic Republic of Korea” regarding “Sanctions on citizens of the Democratic People’s Republic of Korea who have been repatriated from abroad, such as treating their departure as treason leading to punishments of internment, torture, inhuman or degrading treatment or the death penalty, and infanticide in prison and labour camps..”

UN Commission on Human Rights, *Commission on Human Rights Resolution 2004/13: Situation of Human Rights in the Democratic People’s Republic of Korea*, 15 April 2004. UNHCR Refworld, available online at: <http://www.unhcr.org/refworld/docid/43f3135c0.html> [accessed 9 April 2009]

<sup>51</sup> Human Rights Watch (2002), Op. cit., pp. 20-24.

<sup>52</sup> Handbook, para.82.

<sup>53</sup> Handbook, para.84.

Refugees have special rights and benefits not afforded to “economic migrants.” They are entitled to receive treatment as favorable as, or close to the rights of nationals with respect to freedom of movement, acquisition of property, access to courts, education and employment. Most importantly, they are not to be turned back to the countries they have fled. The principle of non-refoulement in Article 33 prohibits a state from expelling or returning a refugee (or an asylum seeker) to the country where his/her life or liberty would be jeopardized.<sup>54</sup>

China is a party to the 1951 Refugee Convention, and therefore subscribes to the definition of refugees set out in international law. It is obligated to provide protection for refugees as stipulated in the Convention, and not penalize refugees for illegal entry or presence (Article 31 of the Convention).<sup>55</sup> However, China violates its obligations by arbitrarily turning North Koreans back, denying them access to the United Nations High Commissioner for Refugees (UNHCR) and blocking UNHCR’s efforts to determine which North Koreans are legitimate refugees. It refuses to permit North Koreans to have a fair opportunity to be identified as refugees. Several reports from Amnesty International, Anti-Slavery International and other human rights organizations have complained that China regularly returns North Koreans to their country of origin without giving them the opportunity to make a claim for asylum.<sup>56</sup>

Other countries have called China to task for this approach. The US State Department, in its 2007 annual country report on human rights in China, stated:

... the government [of China] continued to deny the UNHCR permission to operate along its northeastern border with North Korea, arguing that North Koreans who crossed the border were illegal economic migrants, not refugees. ...[It] did not provide protection against refoulement, the return of refugees to a country where there is reason to believe they face persecution. ... [Chinese] authorities continued to detain and forcibly return North Koreans to North Korea, where many faced persecution and some may have been executed upon their return. ... There were also reports that North Korean agents operated within the country to forcibly repatriate North Korean citizens.<sup>57</sup>

---

<sup>54</sup> Article 33(1) of the 1951 Refugee Convention states:

“[No] Contracting State shall expel or return (“refouler”) a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion.”

Available online at: <http://www2.ohchr.org/english/law/refugees.htm#wp1037145> [accessed April 9 2009]

<sup>55</sup> Article 31(1) of the 1951 Refugee Convention states:

“The Contracting States shall not impose penalties, on account of their illegal entry or presence, on refugees who, coming directly from a territory where their life or freedom was threatened in the sense of article 1, enter or are present in their territory without authorization, provided they present themselves without delay to the authorities and show good cause for their illegal entry or presence.”

Available online at: <http://www2.ohchr.org/english/law/refugees.htm#wp1037145> [accessed April 9 2009]

<sup>56</sup> Keumsoon Lee(2006), *Op. cit.*, p. 53. See also: Amnesty International Report 2000, 2001, and 2004.

<sup>57</sup> U. S. Department of State, *2007 Country Reports on Human Rights Practices: China* (Washington, D.C.: the Bureau of Democracy, Human Rights, and Labor, 2008). Available online at: <http://www.state.gov/g/drl/rls/hrrpt/2007/100518.htm> [accessed 9 April 2009]

The States Department's 2008 Human Rights Report added, "In the year leading up to the Olympic games, [Chinese] authorities stepped up efforts to locate and forcibly repatriate North Korean refugees, including trafficking victims."<sup>58</sup>

China sends North Koreans back to North Korea without making an objective and informed decision as to whether they would be subject to persecution once they are returned to North Korea. The punishment and cruel treatment of North Koreans who are returned to North Korea is a matter of record, substantiated by numerous reports and testimony from those who have lived to escape to China again after repatriation. Yet China ignores this question of the treatment of North Koreans by North Korea when they are returned.

The astonishing aspect of this policy is that China *does* permit asylum seekers from other countries to contact UNHCR offices in China and receive UNHCR refugee status determination. It allows them to stay in China until they resettle, but North Koreans—except in rare cases<sup>59</sup>—are explicitly excluded from this process and automatically determined to be illegal economic migrants without any fair determination process.<sup>60</sup> China seems to regard a bilateral arrangement with North Korea—the 1986 Mutual Cooperation Protocol for the Work of Maintaining National Security and Social Order in the Border Areas—as of higher legal standing than its obligations to the international community. The 1986 bilateral agreement requires China to return all North Korean border-crossers to North Korea.<sup>61</sup> Yet they can more humanely be turned over to South Korea, whose Constitution recognizes them as citizens.

Because of the forced return of North Koreans from China, UNHCR in September 2004 declared North Koreans in China to be "persons of concern." It should be noted that the refugee agency uses this term in different situations, including when UNHCR is not permitted by the host government to conduct refugee status determinations and the individuals are at risk of forced return. In its report to the Standing Committee earlier that year, UNHCR noted that it was "deeply concerned that [North Koreans in China] do not have access to a refugee status determination process and are not protected from refoulement."<sup>62</sup> When the UN High Commissioner for Refugees Antonio Guterres visited China in 2006, he emphasized that deportations were a violation of the Refugee Convention.<sup>63</sup> Were China to allow UNHCR to make status determinations, the refugee agency would no doubt find that some of the North Koreans are *bona fide* 1951 'Convention refugees' whereas the others are *refugees sur place*.

## The Rights of North Korean Women as Wives and Mothers: Regularization of Status as a Solution for Some

Article 16.3 of the Universal Declaration of Human Rights states that "the family is the natural and fundamental group unit of society and is entitled to protection by society and the State."

<sup>58</sup> U. S. State Department of State, *2008 Country Reports on Human Rights Practices: China* (Washington, D.C.: the Bureau of Democracy, Human Rights, and Labor, 2009). Available online at: <http://www.state.gov/g/drl/rls/hrrpt/2008/eap/119037.htm> [accessed 9 April 2009]

<sup>59</sup> HRNK Refugee Report, p. 39.

<sup>60</sup> *Ibid.*, p. 37.

<sup>61</sup> *Ibid.*, p. 40.

<sup>62</sup> *Ibid.*, p. 39.; see also <http://www.unhcr.org/cgi-bin/texis/vtx/excom/opendoc.pdf>

<sup>63</sup> Antonio Guterres, "Statement to media by United Nations High Commissioner for Refugees António Guterres, on conclusion of his mission to the People's Republic of China," 23 March 2006. Available online at: <http://www.unhcr.org/cgi-bin/texis/vtx/admin/opendoc.htm?tbl=ADMIN&id=4427aae04> [accessed 9 April 2009]

There are cases in which North Korean women who had initially entered marriage through trafficking are content with their marriage and built families with their husbands, with the full intent to remain wife and mother in those families. Notably, Cases 48 and 50 show examples of North Korean women who were “sold” into marriages in China but, even after they were repatriated to North Korea and escaped again, chose to be reunited with their husbands in China. In such cases, these women would be seen as having given valid consent by having waived their right to annul their marriage which had initially lacked a valid consent. They should, therefore, be recognized as being in a valid form of marriage and acknowledged as responsible members of their families as wives and mothers. This means that the state must protect this family if the state were to conform to the Universal Declaration of Human Rights and not split them apart by repatriating the women to a land that will not allow them to get back to their families. A solution for North Korean women in these situations would be to regularize their status as residents.

The Global Commission on International Migration (GCIM) calls on states to acknowledge the fact that many people with irregular immigration status have found a place in their economies and societies, and then gives some examples of criteria for regular status:

- the applicant’s employment record
- language ability
- absence of a criminal record, and
- the presence of children who have grown up in the country.

These criteria can be used for North Korean women living in certain marriages. While the GCIM report recommends that regularization should take place on a case-by-case basis through a transparent decision-making process, the most critical consideration will be the achievement of a substantial degree of integration in society.<sup>64</sup> Regularization offers legal status for those who have been present in a country for significant periods of time, who have found employment and whose continued participation in the labor market is welcomed by the state and private sector.

In more recent years, there have been a few positive signs that local authorities are providing documents for married North Korean women and their children, in some cases even promising their safety and voluntarily issuing *hukou* [household registration] for their children born in China (e.g., Cases 51, 52, and 53). If Chinese local authorities are beginning to give a certain form of recognition and protection to at least some North Korean women in China, this should be encouraged. There is an opportunity to improve the circumstances of many North Korean women in China through this regularization option, which both China and the international community need to seize. But it must be accompanied by an attempt to guarantee that the women themselves consent to the circumstances of their marriages.

There are a considerable number of North Korean women in China who are living in a form of forced marriage that is not legally recognized, and they are often long-term inhabitants with children born in China. As their presence has become more visible and significant in the Chinese communities where they reside, changes both in the perceptions and practices addressing their status are required. The international community should naturally demand that these North Korean women be given legal recognition and residence permits in China by the Chinese authorities, yet they must also be given the opportunity to escape circumstances that are exploitive and abusive.

---

<sup>64</sup> Global Commission on International *Migration, Migration in an interconnected world: New directions for action* (Geneva: 2005), pp. 38-39. Available online at: <http://www.gcim.org/attachements/gcim-complete-report-2005.pdf> [accessed 9 April 2009]

## Conclusion

The root of the problem is without doubt the failed economic, agricultural, and social policies of the regime in North Korea and the deliberate marginalization of certain areas. This drives the most vulnerable citizens across the border in search of basic sustenance, and makes them susceptible to traffickers.

When these hapless victims leave North Korea, however, the problems they face are the result of China's policies. China insists these victims of trafficking are illegal migrants who should be returned to North Korea. However, they may be refugees or *refugees sur place*, entitled to certain protections under international law. Without these protections, the women risk being forcibly returned to North Korea where they will be punished. They remain the victims of trafficking in China because they do not have the security, judicial protection, and material benefits they would have were they to be screened and determined to be refugees, *refugees sur place* or other persons of concern meriting international protection. Some measures such as residency regularization may provide relief for certain women who find themselves in marriages they consent to, and in circumstances they find acceptable. But they do not address the more profound human rights violations most of the women endure, most notably trafficking, forced marriages and sexual violence.

China, to its credit, has begun to take some measures against traffickers but it is unacceptable for China to free North Korean women from traffickers and then return them to near starvation and punishment in North Korea. China must protect them because they may be refugees, or *refugees sur place*. While China understandably does not want to encourage large numbers of North Koreans to flee to its border areas, it is not acceptable for China to thwart international efforts to protect these people. China is required by its international obligations to guarantee that they do not become victims of refoulement. It must allow UNHCR access to North Koreans who have fled to China and provide asylum for them. The international community can help by providing alternative locations for asylum, if that is necessary.

Not returning refugees to persecution in the land they fled could be in China's interest since it could help build stronger families and communities in China's northeast. It is a fact that Chinese men in rural areas need wives. Were the government of China to protect the rights of North Korean women in these areas, the women and men could more easily enter consensual marriages, contribute to the economy and prosperity of their communities in China and raise their children with the assurance that they will receive education, health care, and legal status.

The world must demand that China live up to its international obligations under the Refugee Convention. This step alone will alleviate much of the terrible circumstances that confront the women of North Korea.

# Recommendations

## The DPRK (North Korea) should take steps to:

1. Undertake economic and agricultural reforms to improve its ability to provide food for its population.
2. Implement programs to assist women who have lost husbands and fathers to survive economically.
3. Devise a plan of action to reduce factors increasing the vulnerability of women and girls to trafficking and unsafe migration—poverty, inequality, and all forms of discrimination—in North Korea, especially in the disadvantaged areas near the border with China. In particular, North Korea should make immediate and tangible efforts to fulfill its minimum obligation to guarantee the core rights of its people, including women and the most vulnerable groups, to food, health, education and access to employment.
4. Decriminalize movement across the border so that women and men can cross the border and return without punishment.
5. Assist the victims of trafficking who find themselves in China and may wish to return to North Korea, ensuring that these victims of trafficking are not persecuted and are protected in the process of repatriation.
6. Allow the international community to implement economic and social programs designed to prevent human trafficking in the areas near the border (especially in North Hamgyong Province) of North Korea.
7. Provide access to UN agencies, other intergovernmental organizations, and non-governmental organizations, to provide financial, material, and technical assistance in anti-trafficking efforts.
8. Dispose of the Agreement with China on “Border Crossers.” Negotiate instead an agreement to establish a system of free migration and to extinguish human trafficking between the two countries.

## China should:

1. Recognize that North Koreans who escape across the border are potential refugees or *refugees sur place* and warrant protection from refoulement.
2. Implement a system for the screening and adjudication of claims to refugee status on the part of the escapees from North Korea.
3. Facilitate access for the North Korean escapees to the UN High Commissioner for Refugees (UNHCR) so that a proper consideration of their claim to refugee status can be reviewed.
4. Discard the inhumane and illegal border security agreement with North Korea and negotiate a new agreement to permit lawful migration between the two countries, and to guarantee that people returned to North Korea are not punished for their departure or persecuted for other political crimes.

5. Ensure that the victims of trafficking are protected and that traffickers are punished.
6. Use its influence with North Korea to compel the adoption of reasonable and humane treatment for North Koreans returning to North Korea and halt any North Korean practices that put returnees in fear of persecution on their return.
7. Until North Korea stops persecuting those who are returned to North Korea, stop all forced repatriations.
8. Provide temporary or permanent residence permits in China for those who have been identified as refugees or victims of trafficking, and cannot be returned to North Korea because of a reasonable fear of persecution.
9. Guarantee that marriages between North Korean women and residents of China are a result of valid consent on the part of the North Korean women, and not coerced.
10. Implement a system that recognizes the marital status of North Korean women who have been married to Chinese nationals and who freely state their choice to remain in their marriages.
11. Implement a system that grants legal residency status to North Korean women who have resided in China for a period of time, may have married and raised children, and who freely state their choice to seek residency status.
12. Implement programs to legalize the status of children born to North Korean women married in China, as Chinese nationals.

**South Korea should:**

1. Attempt to protect the rights of North Koreans in China, urging China to acknowledge and respect their status as citizens of the Republic of Korea.
2. Investigate the situation of North Korean women in China, including their victimization by traffickers, their forced marriages to Chinese nationals, and the limitations on the rights of their children.
3. Use its influence with China to guarantee that North Koreans are not in jeopardy of being persecuted or punished merely for their departure, after they are returned to North Korea.
4. Undertake diplomatic efforts to persuade Chinese authorities to devise a humane policy toward the victims of trafficking and the spouses of Chinese citizens as long-term inhabitants, recognizing their residency and protecting the rights of the women involved.
5. Initiate and support programs to address the needs of the North Koreans residing in the three provinces of Northeast China and other areas.
6. Offer economic and social development assistance to the areas in North Korea near the border with China, especially to North Hamgyong Province, with the aim of reducing the vulnerability of women and girls to trafficking. To this end, South Korea should actively seek partnerships with international organizations and foreign government agencies to gain access to North Korea for the conduct of these programs.

7. Investigate sexual exploitation in areas of China such as Qingdao, and take measures to prevent North Koreans (and others) from becoming victims of sexual exploitation.

**The international community and the United States should:**

1. Demand that China implement a screening procedure to determine the status of North Koreans who seek asylum there, and stop refoulement of refugees.
2. Insist that the governments of North Korea and China adhere to their responsibilities to protect the rights and freedoms of the people who transit the border.
3. Ensure that the UN High Commissioner for Refugees gains access to all North Koreans in China and be permitted to guarantee the rights of asylum seekers and refugees in China.
4. Expand the operations of UN agencies, inter-governmental organizations, and non-governmental organizations which are already operating in China or launch new initiatives to provide protection and assistance to the North Korean women who, even though they may be spouses of Chinese citizens, have no legal rights or status.
5. Provide North Korea with more information on the recent bilateral and multilateral approaches to combat human trafficking as well as the successful models of collaboration among international organizations, concerned governments, and civil societies in the anti-trafficking efforts in Asia, and offer capacity-building assistance to North Korea so it can apply the lessons learned from the experiences of other countries.
6. Investigate conditions in the three provinces of Northeast China and the areas in North Korea near the border with China, especially North Hamgyong Province, and devise and implement comprehensive economic and social development assistance programs in the border areas between North Korea and China.