



中华人民共和国常驻联合国日内瓦办事处和瑞士其他国际组织代表团

PERMANENT MISSION OF THE PEOPLE'S REPUBLIC OF CHINA

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The Permanent Mission of the People's Republic of China to the United Nations Office at Geneva and other International Organizations in Switzerland presents its compliments to the Office of the High Commissioner for Human Rights and with reference to the joint communication [AL CHN 8/ 2021] dated 23 August 2021, has the honour to transmit herewith the reply by the Chinese Government.

The Permanent Mission of the People's Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.



Office of the High Commissioner for Human Rights
GENEVA

(Translated from Chinese)

Receipt is hereby acknowledged of joint communication AL CHN 8/2021 dated 23 August 2021 from the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea, the Working Group on Arbitrary Detention and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, of the United Nations Human Rights Council. The Chinese Government wishes to respond with the following:

The Chinese Government attaches great importance to controlling illegal immigration, and the public security bodies have cracked down on the illegal entry of foreigners, in accordance with the law. They investigate and deal with illegal entry by foreigners on an equal basis, without discrimination, in accordance with the law, and maintain safe and orderly procedures for the management of entry to and exit from the country.

The individuals in question are persons from the Democratic People's Republic of Korea who have entered China for economic reasons using illegal channels. The illegal immigrants from the Democratic People's Republic of Korea are illegal immigrants, not refugees. Their entry and residence in China violated the laws and regulations of the country's entry and exit procedures and undermined the country's orderly administration of entry and exit over the border. The principle of "non-refoulement" does not apply to persons from the Democratic People's Republic of Korea who enter China illegally. The relevant Chinese administrative departments have been properly handling the problem of illegal entry of persons from the Democratic People's Republic of Korea, in accordance with international law, domestic law and humanitarian principles, and in particular have ensured the legitimate rights and interests of women, their minor children and unaccompanied minors from the Democratic People's Republic of Korea, to the maximum extent.

联合国人权理事会朝鲜人权状况特别报告员、任意拘留问题工作组、酷刑问题特别报告员 2021 年 8 月 23 日来函【ALCHN 8/2021】收悉。中国政府对来函答复如下：

中国政府高度重视非法移民治理工作，公安机关依法打击外国人非法入境活动，对查处的非法入境外国人一视同仁依法处置，维护安全有序的出入境管理秩序。

有关人员是因经济原因通过非法渠道入境中国的朝鲜人员。非法入境朝鲜人是非法移民，不是难民。其入境和在华居留行为违反了我国出入境管理法律法规，破坏了我国的出入境管理秩序，“不推回”原则不适用于非法入境朝鲜人。我国相关管理部门一直以来按照国际法、国内法和人道主义原则，妥善处置非法入境朝鲜人问题，尤其最大限度保障非法入境的朝鲜妇女及其未成年子女以及无人陪伴的未成年人的合法权益。