Mandate of the Special Rapporteur on the situation of human rights in the Democratic People’s Republic of Korea

REFERENCE,
UA VNM 6/2019

3 December 2019

Excellency,

I have the honour to address you in my capacity as Special Rapporteur on the situation of human rights in the Democratic People’s Republic of Korea, pursuant to Human Rights Council resolution 40/20.

In this connection, I would like to bring to the attention of your Excellency’s Government information I have received concerning the detention of 13 North Korean escapees by your Excellency’s authorities.

According to the information received:

The following 13 North Koreans (10 women and 3 men) were detained by your Excellency’s Government’s authorities on 23 November 2019 at 10:00 in the Cha Lo, Quang Binh province.
On 28 November around 22:00, Vietnamese authorities reportedly took the 13 North Koreans across to the border and dropped them in Chinese territory. The 13 North Koreans were able to walk back, and cross the border back into Vietnam in the morning of 29 November between 10:00 and 11:00. Vietnamese authorities took them toward the border, this time having Chinese officials waiting on the other side. However, one of the North Koreans fainted and the Vietnamese authorities did not send them back and have been currently holding them.

Given the bilateral border control agreement between China and the Democratic People’s Republic of Korea as well as well-documented cases where citizens of the Democratic People’s Republic of Korea often face serious human rights violations upon repatriation, I would like to stress the risk that these individuals face if deported.

Therefore, I strongly urge you Excellency’s Government not to send these North Korean escapees back to China where there are reasonable grounds to believe they would be at risk of refoulement to the Democratic People’s Republic of Korea.

As it is my responsibility, under the mandate provided to me by the Human Rights Council, to seek to clarify all cases brought to my attention, I would be grateful for your observations on the following matters:

1. Please provide any additional information and any comment you may have on the above-mentioned allegations.

2. Please indicate where these 13 North Korean escapees are.

This communication and any response received from your Excellency’s Government will be made public via the communications reporting website within 60 days. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

Please accept, Excellency, the assurances of my highest consideration.

Tomás Ojea Quintana
Special Rapporteur on the situation of human rights in the Democratic People’s Republic of Korea