

## Resolution on the situation of North Korean refugees

2012/2655(RSP) - 24/05/2012 - Text adopted by Parliament, single reading

The European Parliament adopted with 47 votes to 9 with 1 abstention a resolution on the situation of North Korean refugees.

The resolution was tabled by the EFD, Greens/EFA, ALDE, EPP and ECR groups. It notes that

The UN Human Rights Council resolution deplores the grave, widespread and systematic human rights abuses in North Korea, in particular the use of torture and labour camps against political prisoners and repatriated citizens of the DPRK. Furthermore, large parts of the population are suffering from starvation. As a direct result of the policies of the DPRK Government and despite the dangers, it is estimated that over the years up to 400 000 North Koreans have fled the country, many of whom are living in neighbouring China as illegal migrants.

Parliament reiterates its call for the DPRK to put an immediate end to the continuing human rights violations perpetrated against its own people, which are causing North Koreans to flee their country, and calls on the DPRK authorities to act upon the recommendations of the report of the Universal Periodic Review Working Group of the Human Rights Council, and as a first step to allow inspection of all types of detention facility by independent international experts. It urges Member States to adopt a more systematic approach to organising European and international protection for North Koreans fleeing their country, and calls on the Commission to continue to support civil society organisations that help North Korean refugees. Members recall that satellite images and various accounts from North Korean defectors substantiate allegations that the DPRK operates at least six concentration camps and numerous re-education camps, possibly housing up to 200 000 prisoners, most of them political.

Parliament goes on to note that according to NGO estimates, the Peoples Republic of China (PRC) arrests and forcibly returns up to 5 000 North Korean refugees to the DPRK every year. On 29 March 2012 Kim Young-hwan and three other activists from the Seoul-based Network for North Korean Democracy and Human Rights were arrested in the Chinese city of Dalian (Liaoning Province) and are facing allegations of being a threat to China's national security, while reportedly trying to help North Korean defectors. Parliament finds it deeply regrettable that, in the case of Kim Young-hwan and his fellow activists, the Chinese authorities have reportedly, for the first time, applied the charge of being a threat to national security, which can carry the death penalty. It calls on the Chinese authorities to grant full consular access to the South Korean authorities, and legal representation to the four detained activists, and to release them swiftly.

Members call on the Vice-President/High Representative and the Commission to raise the human rights situation in the DPRK and the issue of North Korean refugees in the PRC during all high-level EU-China talks and as part of the EU-China Dialogue on Human Rights.

Parliament also calls on the PRC:

- to honour its obligations under international law, in particular the 1951 Convention relating to the Status of Refugees and the 1967 Protocol thereto, along with the 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and to stop deporting North Korean citizens back to the DPRK, as returnees and their families are at great risk of abuse and even execution;
- to end the 1986 agreement with North Korea whereby China prevents North Korean citizens from accessing UNHCR asylum procedures. Parliament welcomes recent reports that China may intend a policy shift;
- to grant North Koreans safe passage to South Korea or other third countries, since most refugees from the DPRK have no intention of staying in China, but have to pass through the country in order to make their way to South Korea or to other parts of the world;
- to treat North Korean defectors as refugees *sur place*, to allow the UNHCR access in order to determine their status and assist their safe resettlement, to release all such defectors who are currently being detained, to decriminalise those who try to help refugees on humanitarian grounds, and to grant North Korean women married to Chinese citizens legal resident status;
- to stop cooperating with North Korean security agents in tracing North Korean refugees with the aim of arresting them;
- to allow NGOs and community service providers humanitarian access to North Korean refugees and asylum-seekers in China, including for the provision of food, medical treatment, education and legal and other services.