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## Divided Over North Korean Refugees

How to deal with North Korean refugees is currently one of the hottest issues in China and South Korea's bilateral relationship. It exposes the dilemma facing China of how to deal with two very different political halves of the divided Korean peninsula, and the resulting constraints on regional cooperation in Asia.

By Sokeel J Park for ISN

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North Koreans started leaving their country in significant numbers during the famine of the 1990s that killed up to [one million people](#) and have continued leaving ever since due to chronic malnutrition, absolute poverty, political persecution and a denial of basic human rights; in the governance nightmare that is North Korea, all of these factors are inextricably linked. North Korean refugees that I have met often tell me that despite having to endanger their lives to escape, they feel they have to leave because they see no hope for the future in North Korea.

An estimated [30,000 to 50,000](#) North Korean refugees are currently living in hiding in China. They are forced to live in the shadows because the Chinese government does not recognize them as refugees for political reasons. This means that if discovered, they could be arrested and repatriated to North Korea.

In contrast, just over [23,000](#) North Korean refugees (as of early 2012) have made it all the way to South Korea, where, according to the constitution, they are granted South Korean citizenship as soon as they arrive. This stark difference in policy is acting as a massive barrier to cooperation between the South Korean and Chinese governments over North Korean refugees. Depending on Chinese crackdowns and treatment of refugees - and the publicity this attracts in South Korea - the issue has the potential to rise to the top of the bilateral relationship agenda. But escalation will only make resolving the issue more complex.

### Chinese Government Policy

Numerous refugee testimonies reveal that repatriated defectors and their families are at risk of detention, torture, or execution upon arrival back in North Korea. Although regarded by most of the international community as refugees given their well-founded fear of persecution if repatriated, this is not the view taken by the Chinese government: It deems them "[economic migrants](#)" in order to give officials a suitable pretext for sending them back to North Korea. They do this mainly for two reasons:

If they accept North Korean refugees and make it easier for them to stay in China, there is a fear that it will lead to a flood of refugees. Such an influx could destabilize China's northeastern regions as well

as North Korea. While this may have been true in the past -- when border security on the North Korean side was more lax -- since the latter half of 2011 the North Korean regime has placed a higher priority on securing their borders. Despite rampant corruption that allows smugglers to cross back and forth, the majority of poor North Koreans do not have an easy way out. Nevertheless, the Chinese government does not want to take the chance.

The second reason is that they fear that changing their policy towards North Korean refugees will damage the political relationship with Pyongyang. In 1986, China and North Korea [signed an agreement](#) to repatriate illegal border-crossers found in each other's country. Beijing feels bound to comply because unilaterally abrogating it would be a slap in the face for Pyongyang.

A Chinese diplomat who has worked on the issue once told me that North Korean officials are as sensitive to discussions on defector issues as Chinese officials are to discussions about Taiwan.

Whilst political realities mean that radical change in official policy is unlikely, there is [space for maneuver](#) in the margins of implementation. For instance, it is up to the Chinese government as to what degree they direct their security services to actively search out, arrest and repatriate North Koreans; local officials may choose to turn a blind eye if defectors are not causing problems.

Even if they are not caught, North Korean refugees in China are susceptible to all of the exploitation associated with being an illegal immigrant. Women are particularly vulnerable. An [estimated 70%](#) of North Korean refugees are female, because their absence is less likely to be noticed by authorities. They are more likely to have participated in market activities (associated with anti-regime sentiment), or looked to escape because of the highly patriarchal nature of North Korean society. China's 'one child policy' and resultant lack of marriageable women, particularly in the rural areas of its northeastern provinces, creates another reason why more North Korean women go to China: They are [trafficked](#) and bought and sold as wives, work in brothels or in the online sex-chatting industry.

### **South Korean Government Policy**

When the Republic of Korea was founded in 1948, it claimed jurisdiction over the whole of the Korean peninsula; the Seoul government has never recognized Pyongyang. All people born on the peninsula are technically citizens of the Republic of Korea, according to South Korea's [constitution](#).

This did not have much of an effect until significant numbers of North Korean refugees began arriving in South Korea in the late 1990s. These North Korean refugees, and all North Korean refugees since have immediately been recognized as full citizens of the Republic of Korea as soon as they set foot in South Korea (of course, in practice, there is an interrogation period by the National Intelligence Service and then three months of resettlement education and training before they can live freely in society.)

These refugees then receive financial assistance, scholarships and employers are incentivized to hire them. Nevertheless they suffer from [prejudice and discrimination](#), and their experiences in North Korea and China -- and their lack of personal networks -- do not well equip them to succeed in the extremely competitive society of South Korea.

North Korean refugees come to South Korea with a completely different frame of reference. Things that westerners or South Koreans take for granted can seem completely alien to them. For instance, I remember talking with a North Korean refugee just a month after she left North Korea, before she had set foot in South Korea. She mentioned that while living in North Korea she had watched some South Korean dramas on [DVDs smuggled](#) into the country from China (this practice is growing, and more and more North Koreans are learning about the outside world through such cultural products).

She described watching a scene where a woman was in a supermarket, picking food off neatly ordered shelves and then paying for it at the check-out. That scene was so foreign to her, it was so outside of her personal experience, that she didn't know whether to believe that the drama represented what life is really like in South Korea or if it was some kind of art or propaganda.

Around [2,500 to 3,000](#) North Korean refugees arrive in South Korea per year, a manageable figure for a country of nearly 50 million people and the 12th biggest economy in the world. Because the current stream of North Korean refugees does not pose a significant burden, and for humanitarian reasons, the South Korean government actively cooperates where it can with countries in Asia to bring North Korean refugees to the South.

### **China-South Korea cooperation (and lack thereof)**

Despite the humanitarian aspect of resettling North Korean refugees, in reality the South Korean government would rather not have to make this an issue in their bilateral relationship with China. Therefore, when North Korean refugee issues emerge in China, South Korea prefers to engage in quiet diplomacy in order to find humanitarian solutions. This helps preserve relations with the Chinese government and allows China to 'save face' and preserve their relationship with Pyongyang.

The [recent case of '30'](#) refugees (in reality no-one apart from the Chinese government knows the exact number - it could be 24 or as many as 80 or more) that were arrested in a crackdown by Chinese authorities is an interesting case study of this diplomacy in action.

Some of the refugees had family members in South Korea and were able to notify them of their arrest. These family members then scrambled to try to secure their [release](#) through quiet means: through brokers, through asking the South Korean government to engage in quiet diplomacy, and keeping the story out of the media. However when it appeared that quiet diplomacy was going to fail and that the North Korean refugees were in real and imminent danger of repatriation, family members, journalists and activists got behind the case to make it a public issue.

The strength of the reaction in South Korea -- driven partly by reports that Chinese authorities had responded to requests from Kim Jong-un to crack down on refugees and partly by reports that Kim Jong-un had ordered [harsher punishments](#) to be meted out to attempted defectors and their families -- forced the South Korean government to act, issuing its strongest public statements to date. South Korean President Lee Myung-bak called on China to follow "[international norms](#)" and the South Korean delegation [raised](#) the issue at the UN Human Rights Council (although they did not mention China by name). The Chinese government [reacted](#) by repeating its mantra that North Korean defectors are not refugees and warning South Korea not to politicize the issue.

### **Between a ROK and a hard place?**

The Chinese government is stuck. They want to avoid damaging their relationship with the South Korean public and government, and are also concerned about their humanitarian image among the international community. The case is now drawing international [media attention](#) and has attracted over 160,000 signatures on an [online petition](#). Even [Chinese netizens](#) are calling for the Chinese government to consider the human rights of the North Korean refugees.

But they also know that if they do not repatriate the refugees, it will damage their political relationship with Pyongyang in what they are likely to see as a critical early period in the Kim Jong-un regime.

The feasible long-term solution however is obvious. Not many people seriously expect China to

change its official policy towards North Korean refugees. However the Chinese government does have enough policy space to return to 'benign neglect', quietly turning a blind eye as North Korean refugees travel through the country to resettlement in South Korea. In doing so, China protects its reputation and its relationships with South Korea and the rest of the international community.

If the North Korean regime demands they take a tougher stance, then the Chinese government should ask Pyongyang to choose what they want from China: food aid, energy assistance, economic cooperation, diplomatic cover... *and* complicity in human rights abuses by cracking down on refugees? The North Korean regime will soon realize that defectors are the least of their worries.

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