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Subcommittee Hearing: Tier Rankings in the Fight Against Human Trafficking

Congressman Chris Smith and Congresswoman Karen Bass, thank you so much for your leadership in fighting human trafficking and organizing today's hearing. I will address the specific country of China in my testimony. In your hearing announcement you specifically mention the “halls of parliament to small police stations in remote corners of the world” to consider how respective governments are dealing with human trafficking. I would like to make clear to you today that it is the respective government of China and its small police stations that are not only not failing to stop human trafficking in China, but are in fact causing human trafficking in China. I am specifically referring to the North Korean refugees that have fled to China and the fact that China has refused to abide by its international treaty obligations regarding these refugees. China is a signatory since 1982 to the 1951 Convention relating to the Status of Refugees and the 1967 Protocol. The fact that North Koreans face a well founded fear of persecution when they are repatriated back to North Korea clearly obligates China not to force refugees back to a country where they will most certainly be tortured, most certainly be imprisoned and in some cases even executed.

Regarding the small police stations, I am specifically referring to the police stations in the provinces near the China-North Korea border that are offering rewards for those turning in North Korean refugees and severe punishment for those who are found to have known about North Korean refugees but failed to turn them into the police. I submit with my testimony a photograph and a translation of just such an order from the Yanbian police station from last month, March 2013, which was obtained by the *Donga Ilbo* reporter Joo Sung Ha, himself a defector from North Korea now living in South Korea.

This policy of China – which is in direct violation of international law – has created the environment for human trafficking because it puts these refugees, who are mostly women, at complete risk.

I want to be clear that it is not the citizens of China that are causing this problem but the government of China – in fact, I fervently believe that the citizens of China, who know about this issue, are totally sympathetic and appalled by this action by their government. The Chinese people are increasingly taking to the blogosphere to complain about their government's continued support for the Kim Jong Eun regime, and Chinese citizens have been jailed for helping North Korean refugees. We also hear anecdotal stories repeatedly from North Koreans who were jailed in China who said Chinese police smuggled in medicine and food for them and in some cases even allowed them to escape.

Two main factors helped create the environment for this trafficking problem: the first is China's one child policy which has led to a shortage of women in China and the second is the chronic hunger situation in North Korea. When famine struck North Korea in the 1990s, North Korean refugees began crossing the China-North Korea border to try to find work and food to feed their

starving families. Understandably, China labeled them “economic migrants” claiming they were no different than Mexicans crossing the United States border for jobs to feed their families. Yet, the moment a North Korean enters China they fit the definition of an asylum seeker because it is a crime punishable by death in North Korea for their citizens to leave their country without permission.

China -- rather than working on this refugee problem with the United Nations High Commissioner for Refugees which has an office in Beijing and solely exists for this purpose -- has chosen instead to honor a bilateral agreement it has with the Democratic People’s Republic of Korea to turn these refugees over to North Korean security agents.

But it is even worse than that: China authorities are literally marking North Koreans for death. According to Kim Seong Min of Free North Korea Radio, which has informants in both North Korea’s and China’s security operations, China began separating North Korean defectors into two groups based on whether they were trying to escape to South Korea starting in at least 2008. We suspect this was part of the crack down before the Beijing Olympics and the enormous fear China had about the world coming to know about their cruel treatment of North Korean refugees. Joo Sung Ha, the Donga-ilbo reporter, and Kim Yong Hwa, an activist recently jailed in China, revealed how China used a different color stamp on the interrogation papers indicating which refugees were trying to get to South Korea. Because of this collusion the Chinese government is complicit in pre-meditated murder because it knows that North Koreans trying to get to South Korea will be executed when they are forced back to North Korea.

China’s brutal and unlawful repatriation policy has led to the exploitation of North Korean women who in their vulnerability become the victims of traffickers and has created a lawless environment in China. We have seen Americans, Japanese, Chinese and South Koreans imprisoned in China for helping North Koreans and just last year South Korean citizen Kim Young Hwan was imprisoned and tortured in China, while a South Korean missionary Kim Chang-Whan was murdered by North Korean agents and another, Ho-Bin Kang, survived an assassination attempt only to be killed last May in a suspicious head on car crash. How ironic that China will allow North Korean assassins to operate freely in its country hunting down refugees and assassinating humanitarians, but will not allow the internationally recognized agency – the UNHCR -- to have any access to the refugees. There is also a suspicious incident that happened to a Chinese citizen last summer. The father of Kim Do Hyeon was contacted and told to claim the body of his son and daughter in law. Kim and his wife had been taken in for interrogation by the Changchun police when Kim was caught in the process of trying to rescue five North Korean refugees.

I want to cite just a few examples of North Korean women I have interviewed about this and arranged to testify in the U.S. Congress. For example, Mrs. Bahng brought her children to China because they were starving to death and she knew there was food in China. The moment she crossed the border she was seized by a trafficker and taken to be sold at a market of North Korean women where the traffickers described them all as “pigs”. She said she was sold as the best “pig” for \$586. Before she eventually escaped and made it to South Korea, she had been sold as a “wife” three different times. In the case of Mrs. Kim, she was lured out of North Korea by a trafficking ring. She was told a job awaited her as a Nanny in China that would pay

enough that she could feed her family. The moment she got to China a hood was placed over her head and she was taken to a trafficking market where she was sold to a Chinese man where she said, “She lived a life of hell.” These “wives” live with the constant threat that if they do not do what their “husbands” demand, they will be turned into the police and repatriated to North Korea. North Korean women are also sold into brothels – so called “massage parlors”. There is a North Korean family living here in the United States whose sister is being held today in just such a place. Other North Koreans I have interviewed ended up being forced to do internet pornography. I brought a witness to today’s hearing who can share her own personal story about what happened to her.

I would also like to bring to the Committee’s attention a publication by the Committee for Human Rights in North Korea entitled “Lives for Sale: Personal Accounts of Women Fleeing North Korea to China” as an excellent resource on this topic.

The timing of this Congressional hearing is especially important because we now have a new president in China and we hope that President Xi Jinping will reverse this policy. It would resolve this human trafficking issue literally overnight, and it is absolutely in China’s best interest to do this for several reasons.

First, China’s repatriation policy is not only leading to the trafficking of North Korean women, it is also prolonging the North Korean refugee crisis. China’s actions are ensuring that there will always be refugees trying to escape North Korea because it is relieving any pressure on the Kim Jong Eun regime to adopt basic reforms that would create a better life in North Korea so that people will not want to flee. If you talk to any defector, they will tell you that they did not want to risk their lives to leave North Korea, but felt they had no choice. North Koreans are fleeing out of desperation and most want to return to their homeland when conditions improve there. China has long desired that the regime in North Korea would adopt reforms and this would be a way to create pressure to undertake these reforms.

Second, China’s future will be much better for its people if it works with South Korea rather than kowtows to the dictator in North Korea. The two countries celebrated the twentieth anniversary of their diplomatic ties last year and enjoy a robust trade relationship which is expected to top \$300 billion annually by 2015. South Korean culture is very popular in China, and many Chinese tourists travel to South Korea. Working with South Korea on this issue will have a positive benefit to their future relationship because it is inevitable that Korea one day will be reunified.

Third, all the remedies for resolving this issue are immediately at hand to ensure no burden on China including the presence of the UNHCR in Beijing; a humanitarian network and a strong commitment from South Korea and the United States to help resettle refugees in their countries. When I first testified on this issue in the United States Senate many years ago I also presented letters of commitment from twelve organizations all vowing to work with China to help them with this refugee situation so that there would be no burden on China.

Finally, as I mentioned earlier the Chinese people are increasingly questioning their government’s support for Kim Jong Eun as he continues to provoke and threaten stability in the

region. In fact, Deng Yuwen, editor of *Study Times* which is the journal for the Central Party School of the Communist Party of China, actually wrote an article stating that China should “give up on Pyongyang and press for the reunification of the Korean peninsula.”

The 10th annual North Korea Freedom Week is coming up later this month and in coordination with that event we are organizing a Worldwide North Korean Refugee Awareness Day and calling upon citizens around the world to send petitions to President Xi requesting that China change their policy towards North Korean refugees and work with the UNHCR, South Korea and other nations to peacefully resettle these refugees. I hope that the U.S. Congress will join in this appeal.

This is a perfect opportunity for us to assure China’s new President, we want to work with China to end the trafficking of North Korean women and help resolve this refugee crisis in accordance with international law.

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