

URGENT ACTION

FORCIBLY RETURNED WOMAN FACES TREASON CHARGES

A woman named Koo Jeong-hwa (aged 24, previously identified as Lee Su-jung in China) has been detained since 3 December 2017 in North Korea and a decision on her sentence is expected from the Ministry of State Security in March 2018. She is at risk of being sent to a political prison camp together with her 4-year-old son, where they may be subjected to torture or other ill-treatment.

Koo Jeong-hwa was transferred to a detention centre in Hoeryeong City, North Korea on 3 December 2017 and the Ministry of State Security is expected to pass a decision on her sentence in March 2018. There is a high chance that she will be convicted without a fair trial and given a life sentence at a political prison camp, where she may be subjected to forced labour, torture, or other ill-treatment.

Previously detained with her son and eight other North Koreans in Sinuiju, China, a city near the North Korean border, each person in the group has now been sent back to their respective home towns for investigation and detention. The authorities have been in contact with Koo Jeong-hwa's mother, and claim that she has committed treason by leaving her country. As treason is considered a crime against the state in North Korea, it falls under the jurisdiction of the Ministry of State Security, which also operates the political prison camp system. According to the criminal code of North Korea, the death penalty can be applied to persons aged 18 or above charged with treason.

Koo Jeong-hwa's son was originally detained at the same detention centre in Hoeryeong, but was sent home after 20 days because the centre said it could not take care of him. When returned home he was suffering from frostbite on his hands and feet. Although not currently detained, he is still at risk of being sent to a political prison camp with his mother after she receives a sentence, simply for being related to someone convicted for crimes against the state, or "guilt-by-association".

Please write immediately in Korean, English or your own language urging the authorities to:

- Ensure that Koo Jeong-hwa and the other individuals previously detained with her are protected from torture and other ill-treatment, and have regular and unrestricted access to medical treatment on request or as necessary during detention;
- Release Koo Jeong-hwa and the other individuals previously detained with her, and drop the charges against them unless there is sufficient credible admissible evidence that they have committed an internationally recognizable criminal offense and are promptly tried in proceedings which meet international fair trial standards, without recourse to the death penalty.

PLEASE SEND APPEALS BEFORE 26 MARCH 2018 TO:

Minister of State Security
Kim Won-hung
Ministry of State Security
Pyongyang
Democratic People's Republic of Korea
Salutation: Dear Minister

Minister of Foreign Affairs
Ri Yong-ho
Ministry of Foreign Affairs
Pyongyang
Democratic People's Republic of Korea
Twitter: @uriminzok
Salutation: Dear Minister

And copies to:
Ambassador of the Permanent Mission of the Democratic People's Republic of Korea to the Office of the United Nations
Mr Ja Song-nam
820 Second Ave, 13th Floor
New York, NY 10017, USA
Fax: +1 212 972 3154
Email: dpr.korea@verizon.net

Also send copies to diplomatic representatives accredited to your country. HIS EXCELLENCY MR IL CHOE, Embassy of the Democratic People's Republic of Korea, 73 Gunnersbury Avenue W5 4LP tel: 020 8992 4965 Fax 020 8992 2053 prkinfo@yahoo.com, salutation: Your Excellency

Please check with your section office if sending appeals after the above date. This is the second update of UA 253/17. Further information: <https://www.amnesty.org/en/documents/asa24/7534/2017/en/>

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ADDITIONAL INFORMATION

In February 2014 the UN Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea (North Korea) released its *Report of the detailed findings of the Commission of Inquiry on human rights in the Democratic People's Republic of Korea* (also known as the COI Report). The report documents the systematic, widespread and grave violations of human rights in the country. Individuals or families in North Korea have fled the country to escape persecution for political or religious reasons. They also often have no choice but to cross the China-North Korea border illegally due to the desperate need for food and work.

The Chinese government considers North Koreans crossing the border without prior permission not as asylum-seekers, but as irregular, economic migrants. If caught, they would be forcibly returned to North Korea. According to combined sources including Human Rights Watch, China has detained at least 51 refugees since July 2017, and has forcibly returned at least 47 North Koreans, out of an estimated minimum of 102 detained since July 2016 (this include the 10 referred to in this document).

As a crime against the state, treason falls under the jurisdiction of the Ministry of State Security, rather than the Ministry of People's Security, which deals with ordinary crimes, and maintains the basic police functions and the ordinary prison system. The Ministry of State Security (called the State Security Department until June 2016), on the other hand, is an autonomous agency of the North Korean government that is believed to report directly to Kim Jong-un. It operates the political prison camp system, and maintains a border security bureau which is charged with identifying individuals trying to flee the country.

Up to 120,000 people remain detained in the four known political prison camps, and are subjected to forced labour, torture, deliberate starvation and other ill-treatment. Some of the violations amounted to crimes against humanity according to the COI report, but no action to ensure accountability was known to have been taken since its release. Many of those living in the camps had not been convicted of any internationally recognized criminal offence, but were detained arbitrarily for being related to individuals deemed threatening to the state, or "guilt-by-association".

The North Korean government denies the existence of political prison camps, despite testimonies by those who have suffered human rights violations in these camps, and satellite images showing that the camps remain in working order.

Further information on UA: 253/17 Index: ASA 24/7863/2018 Issue Date: 12 February 2018