

## **The Clash between Interest and Responsibility: China's Policy toward North Korean Escapees**

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China is the single most important factor for the future of North Korea. The North's deteriorating economy, ailing leader, and seemingly unstable political transition all could contribute to North Korea's dependence on external sources, especially political and economic support from China. In considering the importance of China's North Korea policy and its implications for regional security, this article narrows its focus to China's policy toward North Korean defectors, the possibility of change in that policy, and the regional security ramifications of the policy. By highlighting the Chinese dilemma concerning North Korean escapees, that is, a decision between interests and responsibility, this article argues that, despite China's traditional policy stance on North Korea—summarized as its political and economic support for the DPRK regime for the sake of regional peace and stability—refugee problems between the two countries could be an issue of great concern and conflict due to the meaningful efforts of concerned states and the international community.

**Keywords:** China's Dilemma, North Korean Escapees, Interests and Responsibility, China's North Korea Policy, Regional Peace and Stability

### **Introduction**

It is no exaggeration to say that the future of the Democratic People's Republic of Korea (DPRK) depends on China's future policy toward it. The North's deteriorating economy, ailing leader, and seemingly unstable political transition all could contribute to North Korea's dependence on external sources, especially political and economic support from China. Given the seriousness of the so-called "North Korean problem"<sup>1</sup> and various regional efforts to resolve it, exploration of the possible changes in China's North Korean policy as a key factor in the determination of the DPRK regime's destiny is critical to understanding the changing dynamics of the security landscape in the Northeast Asian region, as well as on the Korean peninsula.

In considering the North Korean policy of the People's Republic of China (PRC) and its implications for regional security, this article narrows its focus to China's policy toward North Korean defectors, the possibility of a change in policy, and the regional security ramifications of that policy. Especially in the context of contemporary

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humanitarian politics, there is no such thing as pure humanitarian policies; almost all humanitarian issues inherently include security and political considerations. In this sense, China's policy toward North Korean escapees could reflect a political relationship between China and North Korea and various security and political considerations and present the humanitarian aspects of North Korean human rights conditions. Intending to illustrate the dilemma the Chinese government would face concerning the North Korean regime, this article argues that, despite China's traditional policy stance toward North Korea—summarized as its political and economic support for the DPRK regime for the sake of regional peace and stability—refugee problems between the two countries could be an issue of great concern and conflict due to the meaningful efforts of concerned states and the international community.

The next section of this article highlights China's dilemma in choosing between acting as a responsible state or as a regional stakeholder as an analytical framework. The third section mainly deals with refugee issues between China and North Korea, and the fourth section explores the prospects for the changing Chinese policy toward North Koreans within its borders. The last section draws conclusions on the importance of the treatment of North Korean refugees in China and how this issue will determine the destiny of North Korea and China's peripheral security.

### **China's General Dilemma: Responsible State vs. Regional Stakeholder**

As a rising power, the People's Republic of China aspires to be a globally responsible state. With the end of the Cold War, China's foreign policy interest in the Korean peninsula has been a kind of equidistance policy to the two Koreas. By distancing itself from old-fashioned ideological hostility, the PRC has simultaneously invested in such relations as political and economic cooperation with the South, on the one hand, and military and economic support for the North, on the other.<sup>2</sup> Maintaining peace and stability in its surrounding area has been at the top of China's policy priorities list. In his address to the United Nations on September 15, 2005, Chinese President Hu Jintao shared the following views: first, "uphold multilateralism to realize common security;" second, "uphold mutually beneficial cooperation to achieve common prosperity;" and third, "uphold the spirit of inclusiveness to build a harmonious world together;" and fourth, "promote UN reform actively and prudently."<sup>3</sup> In other words, China in the twenty-first century aims to be a responsible regional and global power.

As far as regional politics are concerned, however, China's policy dilemma lies in its proximity to the Korean peninsula and the Taiwan Strait. For instance, China faced a policy dilemma between maintaining regional stability and confronting security challenges in a more activist form during the North Korean nuclear crisis in October 2002. The strategy of keeping regional stability focuses more on North Korea's internal stability, while confronting security challenges emphasizes the prevention of North Korea's nuclear ambitions in cooperation with the United States. Scott Snyder summarized this dilemma, pointing out that, pertaining to potential confrontation and escalation of tension between the DPRK and the United States, "China's involvement in diplomatic mediation requires that it choose between two priorities in its foreign policy: the objective of maintaining positive relations among the major powers (especially the United States) and the objective of maintaining North Korea as a strategic buffer."<sup>4</sup>

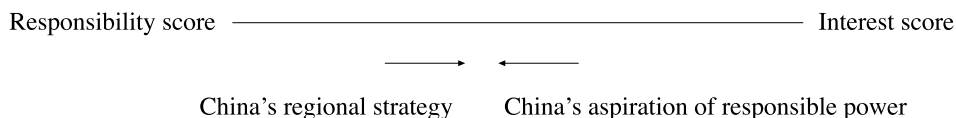


Figure 1. China's Policy Dilemma between Interest and Responsibility

The Chinese leadership is concerned about the instability that North Korea would produce in the region. The DPRK's recent erratic actions and unpredictable behavior—several military provocations, resistance to economic reform and opening, the political succession process, and the revelation of the Uranium Enrichment Program (UEP), etc.—would make the strategic importance of the DPRK to the Chinese government more ambivalent than ever before. The basic concern of the Chinese leadership regarding North Korean affairs, thus, is how to cope with the DPRK in a safe mode, not to solve fundamentally its enduring problems, such as that surrounding the nuclear weapons program. Here lies the underlying dilemma the PRC faces regarding the DPRK regime: although China is expected to behave in accordance with a responsible state framework in the view of the international community, thereby solving the North Korean problem in a fundamental way,<sup>5</sup> there are clear limits to how it can exert its influence on the DPRK regime, because of its strategic considerations about regional peace and stability. China especially is afraid of the DPRK's unstable internal and external conditions that could trigger an excessive intervention in North Korean affairs by the United States and South Korea, let alone the possible collapse of the regime itself. That is why China has supported the DPRK regime economically and diplomatically despite its increasing distrust of and dissatisfaction with the DPRK.

Will China continue to support the government of the DPRK? The answer to this question could have a huge impact on the future course of North Korea's political destiny. It is clear that, without China's support, the DPRK cannot sustain its political and economic system in the near future. Because of this, China, along with other regional powers, has had a profound influence on North Korea's policies and behaviors in the post-Cold War context. It is necessary to analyze a rising China with respect to its relations with North Korea. China's dual self-identification—i.e. as a globally responsible state and regionally strategic player—could apply to its relations with the DPRK. In North Korean affairs, China's dilemma of choosing between responsibility and interest has clearly been demonstrated. Thus, the future trajectory of China's external behavior toward its traditional ally—the DPRK—is likely to fluctuate along with its responsibility and interest scores.

## **Refugee Issues:**

### **A Triumph of Political Concerns over Humanitarian Considerations**

The North Korean refugee issue is one area where the Chinese dilemma between interest and responsibility can be tested. The international community has pointed to severe human rights violations in North Korea and the North Korean refugee problem in view of the protection of internationally recognized human rights. The position of the Chinese government, however, is to view the North Korean refugee problem as a situation between China and North Korea. In other words, the Beijing government

primarily has focused on the Sino-North Korean Treaty of Friendship, Cooperation, and Mutual Assistance signed in 1961 as a cornerstone of its bilateral relations with the DPRK. Furthermore, when dealing with North Korean defectors in its territory, the PRC emphasizes the 1986 Mutual Cooperation Protocol for the Work of Maintaining National Security and Social Order in the Border Areas between China and North Korea, thereby prioritizing this bilateral agreement over any other international instruments. In this context, the Chinese government regards the North Korean refugee problem as being related to a problem with migrant workers, who cross illegally over the border. That is why the Chinese government calls North Korean escapees “economic migrants,” not international refugees.

### ***China’s Repatriation Policy and its External and Internal Security Considerations***

The Chinese authorities refuse to consult with international organizations, such as the United Nations High Commissioner for Refugees (UNHCR), over the North Korean refugee problem. Moreover, the Chinese government has consistently and forcibly repatriated North Koreans along its border, even though it understands that North Koreans who are repatriated receive severe punishment when they return to their country.<sup>6</sup> Forcible deportations of North Koreans through Yanbian Province (the Autonomous Korean Province), for instance, officially reached 4,809 in 2002.<sup>7</sup> China’s repatriation policy of North Korean refugees within its borders is still ongoing, despite the fact that the PRC is a party to the 1951 United Nations Convention Relating to the Status of Refugees and its 1967 Protocol thereof.

As mentioned before, China’s basic assumption regarding the North Korean escapee issue is that this basically is a matter between the PRC and the DPRK, and is not a humanitarian or multilateral issue area. Based on this reasoning, the Chinese authorities have repatriated North Koreans crossing over into its border with the DPRK. It must be pointed out, however, that in the view of international law this Chinese repatriation policy is a clear violation of the principle of *non-refoulement*.<sup>8</sup> Therefore, in terms of international refugee law, the Chinese attitude toward North Koreans inside its border is unacceptable. The problem is in how China defines refugees. China suggests that contemporary migration of North Koreans into the Chinese border could be due to the economic deprivation, rather than to “a well-founded fear of persecution.” Despite this, international refugee law suggests that the definition of refugee could be extended into the category of economic migrants, if these economic deprivations originate from a harsh political regime, such as that of North Korea. In this regard, North Koreans within the Chinese border can be regarded as refugees based on contemporary international law. Moreover, according to international refugee law, the “*sur place*” principle could apply to the North Korean refugee case. In other words, if North Koreans are repatriated by the host state and persecuted by the target government, they could be considered refugees, because of their potential suffering when they are forced to return to their home country. Thus, in an international legal perspective, the PRC has no right to deport North Koreans within its border without due process.

The issue of China’s repatriation policy toward North Korean escapees was first raised when the U.N. High Commissioner for Refugees, Antonio Guterres, and then Chinese Foreign Minister, Li Zhaoxing, met in high-level talks in March 2006. Although the issue of China’s policy toward North Koreans within its borders has

been given greater attention recently, the underlying dynamics behind this seemingly unfair Chinese treatment of North Koreans have deep political and security roots. Part of the reason for China's repatriation policy comes from its bilateral treaty with the DPRK. A more important reason for this continuing policy, however, is its security considerations: China does not want the instability a North Korean refugee crisis is likely to produce. Moreover, in view of Korean reunification, the Chinese government tends to be afraid of the collapse of the North Korean regime "not because it wants to avoid the loss of another communist state, but because of the possible deleterious impact on China." This dangerous impact on China might be a "large-scale flow of refugees across the border and civil war in the North, which could spark a North-South conflict or spill over into northeast China."<sup>9</sup> In this context, the Chinese government does not allow North Korean defectors to enter into its territory even when the UNHCR has recognized some escapees as refugees under the Refugee Convention.<sup>10</sup> This Chinese position toward North Korean refugees could be regarded as a violation of international refugee law.

Hence, changes in China's repatriation policy could be one important factor in determining a possible increase or decrease in the number of refugees from the DPRK and, thus, one of the important variables for the future of North Korea. It should be emphasized, however, that the North Korean refugee crisis might be a necessary condition for articulating the possibility of the DPRK regime collapse, but it would not be a sufficient one. For instance, if China were to relax restrictions on refugees that triggered a flood of refugees, it would either precipitate a North Korean regime collapse or initiate a wave of intensified repression. In other words, the change in Chinese repatriation policy and the subsequent result of a huge influx of refugees in and of itself could not mean a regime collapse of the DPRK. Rather, an intensified refugee crisis along the border between China and North Korea could lead to more harsh repression on the part of the North Korean government.

Another point is that China's concern with its domestic agenda regarding various ethnic groups and their possible revolt against the central government, impel it to strongly prohibit North Korean escapees within its borders in order to prevent them from galvanizing cooperative ties with Korean ethnic community in China and igniting other ethnic group movements at the national level.<sup>11</sup> The Chinese government's record of hostile policies against religious groups, such as Falun Gong, or ethnic groups such as the Tibetan and Uighur populations, well-illustrates the Chinese central government's sensitivity toward various kinds of national, ethnic and/or religious movements that threaten the Chinese central authority and its integrating efforts.

### ***North Korean Refugee Issues: Internationalization and Politicization***

The North Korean refugee crisis basically shows that the North Korean regime fails to guarantee basic political rights and provide economic goods and services to its own citizens. Although refugee issues in contemporary international relations originate primarily from internal humanitarian conditions of the target state, a closer scrutiny reveals that those issues are by nature political and international.

First, the North Korean refugee issue is being "internationalized" by various human rights activists, organizations, and nongovernmental organizations (NGOs), as well as by intergovernmental organizations (IGOs). This does not mean, however, that the international refugee community could play a satisfactory role in this issue.

In reality, there are a number of limitations and shortcomings in these organizational efforts. In addition to the difficulty of allocating their resources worldwide, a variety of international refugee regimes have difficulty in executing their humanitarian relief works in specific regional settings. This organizational inertia mainly comes from the pursuit of “self-interest” by the national governments concerned. This general phenomenon is not an exception for the North Korean refugee case.<sup>12</sup> It is also true, however, that the international community has begun to pay more attention to the North Korean refugee case in regard to the Chinese government’s repatriation policy due to these organizational efforts.

Another point concerning the North Korean refugee crisis is related to the possibility of politicization of the refugee issue, in general. Human rights perspectives aside, the refugee issue could be politicized in contemporary international relations. That is, refugees could symbolize “a walking ballot” toward the target state. In this context, the former U.N. High Commissioner for Refugees, Sadako Ogata, noted that “refugee problems are essentially political in origin and therefore have to be addressed through political action.”<sup>13</sup> In other words, in a real world of politics among nations, humanitarian solutions are oftentimes not applied to humanitarian problems. Refugee problems in contemporary international relations have a number of political implications in addition to being humanitarian problems. States still determine their own policies and try to solve humanitarian problems primarily in accordance with their national interests, using various political strategies and considerations. In a word, the refugee problem is by its nature still political, not humanitarian.

If China were to admit the North Korean migrants as refugees, it could mean, in some sense, that it accepts the North’s political dictatorship, and, thus, China would put itself in a politically difficult position. In other words, accepting North Korean refugees could signal that China has decided that North Korea is a failed state and anticipates its collapse. Given the political and security implications of the Pyongyang regime on China’s domestic as well as regional politics, changes in China’s current North Korean refugee policy would be extremely difficult, if not impossible. Hence, the refugee issue between the PRC and the DPRK reveals that China’s policy toward North Korean defectors reflects China’s security considerations for keeping the region stable, on the one hand, and its ongoing acceptance of the Pyongyang regime as a legitimate state, on the other.

### ***China’s Support for the North Regime and its Increase of Interest Score***

Given this backdrop, the Chinese government has tended to strengthen its military alliance with the DPRK. Chinese Premier Wen Jiabao and Minister of Defense Liang Guanglie visited Pyongyang in October and November 2009, respectively, confirming that the PRC and the DPRK have a special military and economic relationship. Premier Wen brought a number of high-ranking Chinese officials on his October visit to Pyongyang, including Yang Jiechi (Minister of Foreign Affairs), Zhang Ping (National Development and Reform Commission Minister), Chen Deming (Minister of Commerce), and Xie Fuzhan (Director of the Research Office of the State Council).<sup>14</sup> These high-ranking Chinese official’s visits to North Korea reveal that China’s traditional approach toward North Korea—the emphasis on regional stability—will continue for the time being for the political and security reasons already mentioned.

China condemned the second nuclear test of the DPRK and concurred with the American position regarding the strengthening of economic sanctions against the DPRK. Instead of issuing formal criticisms and taking a hard position on the DPRK's provocative actions, however, the Chinese leadership came to recognize the necessity of "managing" North Korea's nuclear program and the consequent instability. Chinese positions, such as enhancing its military, security, and economic cooperation with the DPRK, thus, did not come from the "traditional" Chinese cooperative relations with Pyongyang, but from its strategic consideration focused on regional peace and stability.

In the context of China's strategic move in favor of the North Korean regime, the DPRK has held its own rigid stance of political propaganda and economic recovery centered on "self-help." The Kim Jong Il regime also aims to keep its political control over the party and the military, thereby removing any unstable factor—be it political upheaval or social turmoil—from the North Korean polity. Recent political changes within the Workers' Party of Korea (WPK) clearly show that the North Korean leadership does not emphasize the odds of economic reform and opening, but focuses instead on a stable transitional process for its next leader, Kim Jong Un. The rise of Kim Kyung Hui as a four-star general, the promotion of Lee Young Ho as the chief of the army's general staff, the inclusion of Choi Ryong Hae as the closest aide for Chang Sung Taek (assumed to be the second-ranking official in the North Korean leadership and Kim Jong Il's brother-in-law) in the party's Central Committee all indicate that Kim Jong Il an ailing leader, desperately is trying to include all his close aides, relatives, and military officials in the recent reformation of the party, thereby paving the way smoothly for his third son.

In response to the DPRK's third Party Conference held in September 2010 and the subsequent public debut of Kim Jong Un, the Chinese government expressed their initial position: Hu Jintao sent one of his aides—the Politburo Standing Committee member Zhou Yongkang—who congratulated Kim Jong Un for being appointed the Vice-Chairman of the Central Military Committee. Hu went further and, through Zhou, invited Kim Jong Un and the new North Korean leadership to visit China. This response to the North Korean developments seems to prove that the Chinese government welcomes this North Korean succession process. It seems that the Chinese government supports North Korea's political transition at least at the strategic level. Although North Korea could become a strategic burden, rather than a strategic asset, from Chinese perspective,<sup>15</sup> the argument in favor of North Korea's value for China still works to draw Chinese strategic thinking toward the DPRK regime and its leadership circle. Thus, China's support for the DPRK regime would reinforce the interest score in Chinese foreign policy choices for the time being.

Overall, future uncertainty for changing China-DPRK relations is likely to be dependent on Chinese policymakers' strategic considerations of North Korean domestic conditions and their external implications for Chinese security. Specifically, the North Korean escapee issue and solutions for that could be one critical issue area that North Korean and Chinese leaders could face. If Beijing changes its repatriation policy or comes under pressure to take a flow of refugees from its bordering region with Pyongyang, then the problem of North Korean refugees could be a critical factor in forging the future of the DPRK and its relations with the PRC.

### ***The Prospects for China's Future Handling of North Korean Escapees***

China's policy toward North Korea is affected by the general dilemma it faces in positioning itself between the choices of becoming a responsible state or a regional stakeholder. Clearly, China supports the DPRK in its regime survival efforts, because China does not want a rapid change on the Korean peninsula while its economy develops. The DPRK plays a positive role as a buffer state from the standpoint of China's security considerations. As one commentator points out, "China's economic aid to North Korea beefs up the latter's survival, while North Korea's stability assures China's peripheral security."<sup>16</sup> It is also true, however, that Beijing appears to be uncomfortable with the current North regime and its erratic and belligerent behavior. In a word, the so-called "North Korean problem" has been one of the major headaches of Chinese policy makers in the post-Cold War period.

Despite China's friendly policy toward the DPRK, as shown in the example of the North Korean refugee issues,<sup>17</sup> when the DPRK launched a second nuclear test in May 2009, China's response was unprecedented and opposite from its previous responses.<sup>18</sup> Right after the North's second nuclear test, the Chinese government cast a "yes" vote on U.N. Security Council Resolution 1874, which was designed to impose harsher economic sanctions on Pyongyang than previous sanctions imposed on the North's regime. China also publicly condemned the test.<sup>19</sup> China's policy move in this regard indicates that it could possibly change its "traditional" policy stances toward the DPRK, if necessary and possible. Moreover, there is always the possibility of policy changes in Chinese strategic thinking in terms of the odds of North Korea's sudden collapse and a subsequent flood of North Korean people into Northeast China.

At the same time, however, the Chinese government's policy toward the North Korean regime still has a long way to go. The possibility of future policy changes should be understood in the context of China's pursuit of national interests and changing perceptions of its security interests. Sukhee Han argues that losing interest in North Korea's denuclearization, Chinese leaders tend to pay more attention to the non-proliferation and regime stability issues pertaining to the DPRK and that the most critical concern among Chinese policymakers with respect to North Korea would be "regime collapse and a subsequent flood of refugees."

### ***A Possible Change of Chinese Policy toward North Korean Refugees amid the Persistence of the Chinese Traditional Policy Stance toward the DPRK***

Looking at the "North Korean dilemma" from the Chinese standpoint, two issues regarding the prospects for China's future dealing with North Korean escapees can be raised. First, given the politicized nature of contemporary refugee issues, China's acceptance of the legality of North Korean "refugees" would mean that China regards the DPRK regime as oppressive and illegitimate, a position with which it could not agree. Rather than criticizing the DPRK regime and its deteriorating human rights record, the Chinese government likely will continue to support the North Korean regime. As the cases of high-level talks between these two states and Chinese support for the September meeting for party representatives of WPK clearly show, it is expected that the PRC will emphasize a traditional sense of political, military, and economic cooperation with the DPRK primarily for security considerations.

Second, despite the general trend of Chinese support for the Kim Jong Il regime, over time, the Chinese North Korean refugee policy will be under more pressure from the international community, including from the South Korean government and the United States. Various efforts of the international community and concerned states could precipitate the process of China’s acceptance of its leading role in international humanitarian affairs. Especially in order to become a responsible state assuming a great power status in the international arena, China gradually could take its expected role as the guarantor of internationally recognized human rights. A slow but steady change could be one indicator of the prospect for future policy changes toward the North Korean escapees on the part of the Chinese government.

In the process of inducing the Chinese government to change its current repatriation policy, the South Korean government could make a difference in the matters of North Korean refugees by using its position as the North Korean people’s number one choice asylum country. In other words, given the increasing number of North Korean refugees coming into South Korean society and its importance to South Korea’s national interests, it is an urgent task for the ROK to go to great lengths to make a diplomatic effort with the Chinese government in order to solve the North Korean refugee problem. It is reported that the rush of North Korean refugees into South Korea began during the early 2000s,<sup>20</sup> and, at that time, the Seoul government especially began to take on its role as the first asylum country for its northern brethren.

From the American side, a substantial attention to the Chinese human rights policy, in general, and to refugee policy, in particular, may be expected. U.S. policy concerns about North Korean refugees and the Chinese treatment of them have been seen in some important reports within the U.S. Congress.<sup>21</sup> On October 29, 2007, the United States House of Representatives passed Resolution 234, urging the PRC to halt “the forced repatriation of North Koreans” and make “genuine efforts to identify and protect

Table 1. Number of North Korean Escapees Coming into South Korea in the 2000s

| 2001 | 2002  | 2003  | 2004  | 2005  | 2006  | 2007  | 2008  | 2009  | 2010  | 2011.10 | Total  |
|------|-------|-------|-------|-------|-------|-------|-------|-------|-------|---------|--------|
| 583  | 1,139 | 1,281 | 1,894 | 1,383 | 2,018 | 2,544 | 2,809 | 2,927 | 2,376 | 2,319   | 22,679 |

Source: Ministry of Unification, Republic of Korea, <http://www.unikorea.go.kr/CmsWeb/viewPage.req?idx=PG0000000365> (accessed on November 1, 2011).

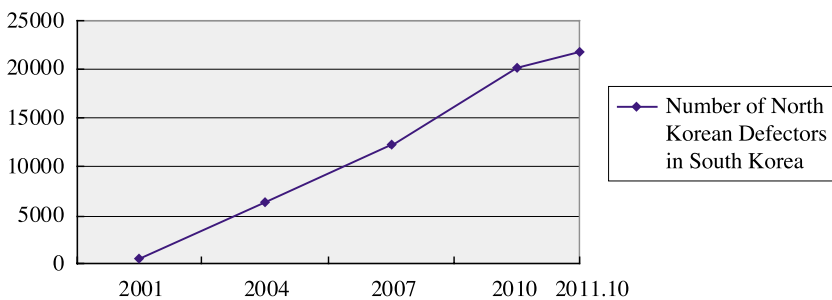
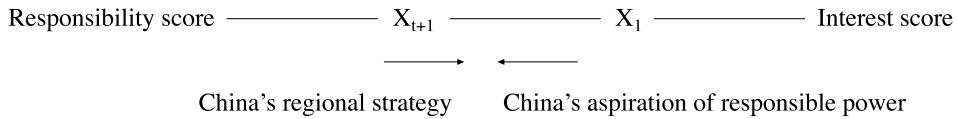


Figure 2. Cumulative Number of North Korean Escapees in South Korea in the 2000s  
 Source: Ministry of Unification, Republic of Korea, <http://www.unikorea.go.kr/CmsWeb/viewPage.req?idx=PG0000000365> (accessed on November 1, 2011).



refugees, various factors should be considered such as: China's internal and external security considerations, the UNHCR's legal and/or technical limits, and international efforts to have an impact on governmental policy changes in the area of international humanitarian problems. The possible change in China's foreign policy regarding humanitarian issues would be a complex picture consisting of several domestic considerations of states and international efforts of non-state actors.

### **Conclusion: The Rather Gloomy Reality of the Politics of North Korean Refugees**

China is the single most important factor for the future of North Korea. How the refugee issue is settled in the future will largely determine the destiny of the DPRK, as well as China's peripheral security. Thus, concerned governments such as the United States and South Korea should keep this in mind when they deal with the North Korean future trajectories for the security of the Korean peninsula and the whole Northeast Asian region. While trying to ameliorate the North Korean refugee problems and change Chinese treatment of them, these two states need to recognize a clear limitation: although some adjustments in current repatriation policy could be possible on the part of the Chinese government, fundamental changes are hardly conceivable given the Chinese goal of stability on the Korean peninsula. Policy adjustments of the Chinese attitude toward North Korean defectors are not that easy, especially given the political and security considerations of the Chinese leadership. Moreover, on rare occasions some humanitarian solutions for the North Koreans within the Chinese borders show that the general trend of Chinese dealing with North Korean refugees is toward deportation, which is not per se a humanitarian solution. It also should be noted that the reported cases of North Koreans sent back to North Korea by the Chinese authorities represent just a tip of the iceberg. Due to the lack of accurate information sources, it simply is hard to estimate the exact number of repatriated North Koreans. Therefore, unless some fundamental changes are made in regional security dynamics, China's current repatriation policy toward the North Koreans cannot easily be changed in the foreseeable future. China-DPRK relations in the region are the most important of all variables for the future of the Korean peninsula and the entire regional security landscape.

### **Notes**

1. Generally, the North Korean problem could be understood as North Korea's nuclear weapons program and its threat to regional stability and peace. Given that the North Korean leadership regards the development of nuclear facilities as crucial for their regime survival, this article refers to North Korean problem as the failure of the DPRK regime to provide basic rights to its own citizens and the pursuit of regime stability in a wrong way.
2. Since its normalization of relations with South Korea in 1992, China's political leaders have regarded its relations with the DPRK in terms of an economic burden, while seeing relations with the ROK as an economic opportunity. For an excellent analysis of the changing dynamics of a rising China and the two Koreas, see Scott Snyder, *China's Rise and the Two Koreas: Politics, Economics, Security* (Boulder, CO: Lynne Rienner Publishers, 2009).

3. Hu Jintao, "Build Toward a Harmonious World of Lasting Peace and Common Prosperity," Written Speech by H.E. Hu Jintao, President of the People's Republic of China, at the High-level Plenary Meeting of the United Nations' 60th Session. New York, September 15, 2005, Ministry of Foreign Affairs of the People's Republic of China website, <http://www.fmprc.gov.cn/eng/wjdt/zyjh/t213091.htm> (accessed on March 17, 2010).
4. Snyder, *China's Rise and the Two Koreas*, 142.
5. Of course, it is hard to say that the current Chinese leaders are facing a "dilemma" regarding achieving the "responsible stakeholder" status which, among other states, the United States proposed as an international and/or moral standard rising China should consider as its foreign policy priority. This paper argues, however, that China is facing a dilemma in its relations with the DPRK, because the Chinese leaders recognize that current North Korea policy will eventually harm China's national interests and even its international reputation. In particular, the North Korean escapee issue is one of the main elements of its dilemma. For more details about U.S. discourse of responsible stakeholder, see "Whither China: From Membership to Responsibility?," remarks of Robert B. Zoellick, Deputy Secretary of State, before the National Committee on U.S.: China Relations, New York (September 21, 2005).
6. For an account of North Korea's general penal system, see Stephen Haggard and Marcus Noland, "Repression and Punishment in North Korea: Survey Evidence of Prison Camp Experiences," *East-West Center Working Papers*, no. 20 (October 2009).
7. Korea Institute for National Unification, *White Paper on Human Rights in North Korea* (Seoul: KINU, 2010), 489.
8. The Chinese authorities emphasize their 1986 bilateral repatriation agreement with the DPRK that urges them "to return all border crossers," Rhoda Margesson, Emma Chanlett-Avery, and Andorra Bruno, "North Korean Refugees in China and Human Rights Issues: International Response and U.S. Policy Options," *CRS Report for Congress* (September 26, 2007), 11.
9. Banning Garrett and Bonnie Glaser, "Looking across the Yalu: Chinese Assessment of North Korea," *Asian Survey* 35, no. 6 (June 1995): 538.
10. According to one report by UNHCR, China deported seven North Koreans whom UNHCR had recognized as refugees under the 1951 refugee convention in 2001. UNHCR, "UNHCR Protests Chinese Deportation of North Koreans," January 13, 2000, <http://www.unhcr.org/cgi-bin/texis/vtx/search?page=search&docid=3ae6b81460&query=china%20north%20korea> (accessed on January 11, 2011).
11. It is reported that during the Great Leap Forward period a lot of North Koreans helped their families, relatives and ethnic Koreans from China, and the Chinese Koreans now think it is their turn to help North Koreans.
12. Shin-wha Lee, "International Organizations and the Inter-Korean Peace Process: Traditional Security versus Nontraditional Security," in *Inter-Korean Relations: Problems and Prospects*, ed. Samuel S. Kim (New York: Palgrave Macmillan, 2004), 190–93.
13. Sadako Ogata, *The Turbulent Decade: Confronting the Refugee Crises of the 1990s* (New York: Norton, 2005), 25.
14. On this visit, Premier Wen also signed a series of bilateral agreements with the DPRK ranging from economic, trade and technological cooperation to educational exchange and tourism. See "China, DPRK to Sign Deals on Economy, Education, Tourism," *China Daily*, September 30, 2009, [http://www.chinadaily.com.cn/bizchina/2009-09/30/content\\_8757112.htm](http://www.chinadaily.com.cn/bizchina/2009-09/30/content_8757112.htm) (accessed on March 17, 2010).
15. Heungkyu Kim, "From a Buffer Zone to a Strategic Burden: Evolving Sino-North Korea Relations during the Hu Jintao Era," *Korean Journal of Defense Analysis* 22, no. 1 (March 2010): 57–74.
16. Dingli Shen, "Cooperative Denuclearization toward North Korea," *The Washington Quarterly* 32, no. 4 (October 2009): 179.

17. Although China's North Korean refugee policy is clearly based in its security consideration, it also could be interpreted as a "friendly" policy, as long as the PRC prioritizes its bilateral treaty with the DPRK over the international human rights regime when dealing with this refugee issue.
18. Ren Xiao, "Commentary: Korea's New Administration and Challenges for China's Relations with the Korean Peninsula," *Asian Perspective* 32, no. 2 (2008): 173–83.
19. Mark Willacy, "China Condemns N Korean Nuclear Test," *ABC News*, May 25, 2009, <http://www.abc.net.au/news/stories/2009/05/25/2580513.htm> (accessed on May 24, 2010).
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21. For instance, see Emma Chanlett-Avery, "Congress and U.S. Policy on North Korean Human Rights and Refugees: Recent Legislation and Implementation," *CRS Report for Congress* (October 22, 2008; January 30, 2009).
22. "Calling on the Government of the People's Republic of China to Respect the Human Rights of Refugees from North Korea," H.Con.Res.234, 110th Congress, 1st Session (October 29, 2007).
23. Paul Wolfowitz, "How to Help North Korea's Refugees," *Wall Street Journal*, June 16, 2009, <http://online.wsj.com/article/SB124511669006017479.html> (accessed on December 30, 2010).

## Notes on Contributor

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