

**PEMULANGAN PAKSA PENCARI SUAKA KOREA UTARA OLEH  
PEMERINTAH CHINA MENURUT HUKUM INTERNASIONAL**

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**ABSTRAK**

Skripsi ini membahas tentang pemulangan paksa pencari suaka Korea Utara oleh pemerintah China menurut hukum internasional yang bertujuan untuk menganalisa apakah tindakan pemerintah China dalam melakukan pemulangan paksa pencari suaka Korea Utara bertentangan dengan hukum internasional. Tindakan ini tentu bertentangan dengan hukum internasional, karena China mengembalikan pencari suaka Korea Utara tersebut ke negara asalnya dan apabila dikembalikan maka, pemerintah Korea Utara akan memberikan persekusi. Pencari suaka harus dilindungi dalam hukum internasional. Tindakan yang dilakukan oleh pemerintah China bertentangan dengan Pasal 33 angka 1 Konvensi Wina 1951 dan Protokol New York 1967 tentang Status Pengungsi,, Pasal 3 angka 1 *Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment 1984* (CAT), pasal 3 dan 5 *United Nations Universal Declaration of Human Rights 1948*, Pasal 1 paragraf 1 Deklarasi Suaka Teritorial Tahun 1967, dan pasal 3 huruf d Resolusi Majelis Umum PBB No. 45/116 tentang *Model Treaty on Extradition*. Tindakan pemerintah China ini sudah memenuhi unsur-unsur yang bertentangan dengan hukum internasional, terutama pada prinsip *non-refoulement*.

Kata Kunci : Pencari suaka, pemulangan paksa, Tindakan pemerintah China dalam melakukan pemulangan paksa pencari suaka Korea Utara menurut hukum internasional.

**FORCED REPATRIATION OF NORTH KOREAN ASYLUM SEEKERS  
BY THE CHINESE GOVERNMENT UNDER INTERNATIONAL LAW**

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**ABSTRACT**

The thesis discusses the forced repatriation of North Korean asylum seekers by the Chinese government according to international law aimed at analyzing whether the Chinese government's action in a forced return of North Korean asylum seekers Contrary to international law. This action is of course contrary to international law, as China returns the North Korean asylum seeker to its native country and when it is returned, the North Korean government will provide persecution. Asylum seekers must be protected in international law. Actions taken by the Chinese Government are contrary to article 33 number 1 of Vienna Convention 1951 and the New York protocol 1967 on Refugee Status,, article 3 digit 1 Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment 1984 (CAT), chapters 3 and 5 of the United Nations Universal Declaration of Human Rights 1948, article 1 paragraph 1 of the Declaration of Territorial Asylum Year 1967, and article 3 letter d of the UN General Assembly resolution No. 45/116 on the Model Treaty on Extradition. The actions of the Chinese government have fulfilled the elements contrary to international law, especially on the principle of non-refoulement.

Keywords: asylum seekers, forced repatriation, actions of the Chinese government in the conduct of forced repatriation of North Korean asylum seekers under international law.