

An End of Fear: Chinese National Granted Asylum in Birth Case

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A Chinese national who fled because he feared persecution for violating China's birth-control regulations has been granted political asylum in the United States.

Yun Pan Lee, 26, won permission to stay after San Francisco Immigration Judge Bernard Hornbach determined that he would face harsh treatment if he returned to China, where his wife had been discovered in hiding and was forced to abort a pregnancy in the fifth month, Lee's attorney, Jon Wu, said. The ruling was rare, Wu said, in that Chinese nationals seeking asylum on grounds of possible reprisals for their opposition to the country's "one-child" rule have regularly been turned down.

Wu said Lee, a carpenter who was staying in San Francisco and is currently working in New York City, lived for months with the fear that he might be deported and frequently cried when he showed the attorney pictures of his wife and two sons.

"When the judge granted asylum, he got on his knees and bowed to the ground," Wu said.

Lee was arrested at San Francisco International Airport last October on charges that he was carrying a forged passport. He was kept in jail until February when Hornbach ruled favorably on his application for asylum. However, objections were raised by the Immigration and Naturalization Service, which appealed the ruling.

The INS dropped the appeal last month. The announcement that Lee faced no more hurdles in his attempt to gain asylum was made Wednesday in Washington by Sen. William Armstrong (R-Colo).

Lee fled China last year after his wife became pregnant with a third child. Lee said the pregnancy was unintentional. The couple had already been punished because of an earlier accidental pregnancy in 1981, Wu said.

"They took away his work assignment, cut off his electricity, imposed fines and cut off his food rations," Wu said.

Although Lee urged his wife to have an abortion after the second accidental pregnancy in 1988, as a Roman Catholic she did not believe in abortion and wanted to bear the child, Wu said.

Knowing that they would face further persecution for that decision, Lee decided to seek another home for his family while his wife went into hiding to have the child. But a villager reported Lee's wife to Chinese authorities, who then forced her to have an abortion, the lawyer said.

Wu said he is working to reunite Lee and his family in the United States. Because Lee has been granted asylum, he can eventually seek citizenship, making it easier to bring his family here to join him, assuming that they are able to emigrate.

"I've received a lot of tearful letters from his wife saying, 'Thank you for this, you've brought us peace and harmony,'" Wu said.

Wu said he is in the process of contacting the U.S. consul general in Gwangzhou, near Lee's family home in Fuzhou, about getting Lee's family out of China. However, he said that might be difficult because Chinese officials probably consider Lee a counterrevolutionary.

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