

The Council for Human Rights in North Korea

For human rights of North Korean people, including abductees,
refugees repatriated, persecuted Christians and those imprisoned in gulags
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STATEMENT

HRNK Canada urges the government of Canada to focus on *bona fide* "North Korean refugees" rather than on "South Korean defectors" defying departure orders

The Council for Human Rights in North Korea ("HRNK Canada") disapproves of the Plea reportedly submitted to Prime Minister and Minister of Immigration, Refugees and Citizenship ("the Plea") by some Korean Canadian community organizations, as attached, that is pleading, *in effect*, not to deport "South Korean defectors" defying departure orders of the government authorities.

HRNK Canada urges the government of Canada to focus on "*bona fide* North Korean refugees" imperiled in China and elsewhere, instead.

Points of Disapproval on the Plea:

(1) Canadian government should stop the deportation of North Korean defectors?

- There are no "North Korean defectors" being deported (*back to North Korea*) by the government of Canada.
- Those Koreans being removed back to where they came from - South Korea, a free democracy - are "South Korean defectors" in that, although defected from North Korea in the first place, they were naturalized as South Korean citizens and left South Korea in a failed bid for refugee protection in Canada.

(2) Canadian government is urged to reconsider its deportation policy?

- Deportation orders are usually issued for allegations dealing with criminality, security issues, human rights violations and organized crime. **Other reasons for deportation orders include defiance against departure order.**
What's wrong with this policy?
- Lawful removal of individuals who are inadmissible to Canada is essential to maintain the integrity of the Canada's refuge protection system and to ensure fairness for those who are entitled to legitimate refugee protection.

(3) They are victims of unavoidable circumstances (*where they are at risks because they are targeted by the North Korean regime*)?

- It is well known that most "South Korean defectors" left South Korea for Canada because they had difficulties integrating in South Korean society, which is not grounds for refugee claims. Most of these people are known to have returned back to South Korea upon receipt of their departure orders.
- It is also known that some "South Korean defectors" defying departure orders are those who were issued warrants in South Korea. We also find some who came to Canada to study abroad for themselves or for their children, thereby abusing Canada's social assistance and education programs.
- It would be very exceptional to find those who defected from South Korea in escape of *real* risks due to their North Korean identity. In most cases, the risks they are referring to are *perceived* risks.

(4) They should be protected within the framework of human rights?

- The government of Canada removes those who abuse Canada's refugee protection system, and it has nothing to do with their human rights.
- Humanitarianism, which underlies Canada's refugee protection system, is neither lenience bestowed upon the abusers, nor a naivety vulnerable to their abuses. Those who abused Canada's refugee protection system should be dealt with within the framework of Canadian law.

HRNK Canada's Urges to the Government:

(1) Canadian government should focus on *bona fide* North Korean refugees imperiled in China and elsewhere, who need to be rescued and protected.

(2) Canadian government should address, explicitly, the issue of dual nationality of North Koreans in a law or policy directive analogous to the U.S. North Korea Human Rights Act of 2004, which clearly states that:

"North Koreans are not barred from eligibility for refugee status or asylum in the United States on account of any legal right to citizenship they may enjoy under the Constitution of the Republic of Korea("South Korea")."

(3) Canadian government is urged to introduce a law, a Human Rights in North Korea Act, for legislation, as recommended by M-617 presented in the House on June 3, 2015, as attached, that would, among others, facilitate application by "defected North Koreans," who defected from North Korea and choose Canada for refugee protection rather than South Korea (*before they are naturalized as South Korean citizens*) with legitimate reasons.

Dated this 15th day of April, 2016

The Council for Human Rights in North Korea ("HRNK Canada")

(Signatures for Submission to Prime Minister and Minister of Immigration, Refugees and Citizenship)

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