



Immigration and
Refugee Board of Canada

Commission de l'immigration
et du statut de réfugié du Canada

Democratic People's Republic of Korea and Republic of Korea: The situation of citizens of the Democratic People's Republic of Korea (North Korea) who approach embassies of the Republic of Korea (South Korea) in Canada or in other countries to request citizenship; whether North Koreans are automatically accepted as South Korean citizens and, if not, how this is determined; citizenship procedures; methods of establishing North Korean identity; whether North Korean applicants are provided assistance to allow them to travel to South Korea (June 2008-November 2012)

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[République populaire démocratique de Corée et République de Corée : information sur la situation des citoyens de la République populaire démocratique de Corée \(Corée du Nord\) qui demandent la citoyenneté aux ambassades de la République de Corée \(Corée du Sud\) au Canada ou dans d'autres pays; information indiquant si les Nord-Coréens sont automatiquement acceptés à titre de citoyens sud-coréens et, dans la négative, comment leur citoyenneté est déterminée; procédures d'obtention de la citoyenneté; méthodes utilisées pour établir l'identité nord-coréenne; information indiquant si les demandeurs d'asile nord-coréens se voient offrir de l'aide pour se rendre en Corée du Sud \(juin 2008-novembre 2012\)](#)

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of Korea (North Korea) who approach embassies of the Republic of Korea (South Korea) in Canada or in other countries to request citizenship; whether North Koreans are automatically accepted as South Korean citizens and, if not, how this is determined; citizenship procedures; methods of establishing North Korean identity; whether North Korean applicants are provided assistance to allow them to travel to South Korea (June 2008-November 2012), 18 December 2012, ZZZ104246.E, available at:

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1. Citizenship Procedures and Methods of Verifying North Korean Identity

Persons from the Democratic People's Republic of Korea (North Korea) are officially considered by the Republic of Korea (South Korea) to be citizens of the Republic of Korea (Republic of Korea 26 Nov. 2012; Committee for HRNK 19 Nov. 2012; HanVoice 26 Nov. 2012). Sources indicate that this is based on Article 3 of the Constitution of the Republic of Korea (Republic of Korea 26 Nov. 2012; HanVoice 26 Nov. 2012), according to which South Korea claims as its territory the entirety of the Korean Peninsula (Republic of Korea 1987, Art. 3; LiNK 7 Dec. 2012; Republic of Korea 26 Nov. 2012).

However, sources explain that, in practice, before North Koreans may be accepted as South Korean citizens and resettle in South Korea, they must go through a screening process (LiNK 7 Dec. 2012; Committee for HRNK 19 Nov. 2012; HanVoice 26 Nov. 2012; International Crisis Group 26 Nov. 2012). Sources say that this screening process is used for security purposes, specifically to prevent North Korean government agents from infiltrating South Korea by posing as defectors or refugees (LiNK 7 Dec. 2012; HanVoice 26 Nov. 2012; International Crisis Group 26 Nov. 2012; Committee for HRNK 19 Nov. 2012). In correspondence with the Research Directorate, a representative of the Seoul office of Liberty in North Korea (LiNK), an American NGO that provides assistance to refugees from North Korea (n.d.), stated that the screening process was also used by the South Korean intelligence service to gather information on North Korea (7 Dec. 2012).

In correspondence with the Research Directorate, the Deputy Project Director of the International Crisis Group's North East Asia Program stated that there has been a greater scrutiny of defectors in South Korea because of recent cases of North Korean agents claiming to be defectors and refugees (26 Nov. 2012). As an example, the Deputy Project Director mentioned the case of two North Korean agents who were caught plotting to assassinate a high level defector while themselves posing as defectors (International Crisis Group 26 Nov. 2012). He added that "there also have been a couple of recent cases where defectors have 're-defected' to the [Democratic People's Republic of Korea] DPRK, which raises questions about their initial intentions" (ibid.). The Deputy Project Director noted that these cases have had political ramifications and have brought about increased domestic pressure [inside South Korea] to make sure that the intentions of North Koreans seeking to access South Korean citizenship are bona fide (ibid.) Corroboration of this statement could not be found among the sources consulted by the Research Directorate.

Several sources stated that the screening process also exists to verify that refugees are truly North Koreans rather than ethnic Koreans from elsewhere, particularly from China (HanVoice 26 Nov. 2012; LiNK 7 Dec. 2012; International Crisis Group 26 Nov. 2012). The International Crisis Group deputy project director expressed the view that ethnic Koreans who do not originate from North Korea seek South Korean citizenship for economic reasons rather than for the purposes of obtaining political asylum (ibid.). Corroboration of this statement could not be found among the sources consulted by the Research Directorate.

The representative of LiNK added that the process also looks for a freely expressed desire on the part of the refugee to go to South Korea (7 Dec. 2012). Corroboration of this statement was not found among the sources consulted by the Research Directorate.

According to the Executive Director of HanVoice Support Association, a Canadian NGO that assists North Korean refugees resettle in Canada and advocates for human rights in North Korea (n.d.), the screening process involves a comprehensive examination of a refugee's story and cross-checking with information available to South Korean officials (26 Nov. 2012). The Executive Director explained that South Korean officials have access to a wide variety of resources to cross-check information which has been accumulated from previous refugees and intelligence sources (HanVoice 26 Nov. 2012). As an example of the thoroughness of the process, he stated that, if a person provides a description of where they are from, satellite imagery might be used to "verify the exact details" (ibid.). Both the LiNK (7 Dec. 2012) and HanVoice (26 Nov. 2012) representatives indicated that the screening process could take approximately three months, but the length could vary.

The HanVoice executive director also stated that North Korean refugees would not typically carry any North Korean documentation, as it could be dangerous for them to do so, notably if passing through China (26 Nov. 2012). Corroboration of this statement could not be found among the sources consulted by the Research Directorate. He also noted that, in the past, carrying North Korean currency or pins bearing the likeness of former North Korean leader Kim Il-Sung were seen as evidence that a person was from North Korea, but, since these items are now more readily available outside of North Korea, this is no longer sufficient evidence (HanVoice 26 Nov. 2012). According to the HanVoice executive director, South Korean officials must therefore generally rely on cross-checking the individual's statements against each other and with other information already available to the officials (ibid.).

In a telephone interview with the Research Directorate, the Executive Director of HanVoice stated that the number of North Koreans seeking to claim South Korean citizenship has fallen in 2012 (ibid.). The International Crisis Group deputy project director said similarly that the number of refugees from the North reaching South Korea had declined, but characterized the change as "a big drop" and "almost half of the number in recent years" (26 Nov. 2012). The Deputy Project Director believes that this drop is due to increased security by both North Korean and Chinese authorities, but added that it was possible that it was also because of delays caused by the South Korean screening process (International Crisis Group 26 Nov. 2012).

2. Procedures at Embassies

Sources explained that claimants who approached a South Korean embassy in a third country would also go through a screening process (LiNK 7 Dec. 2012; International Crisis Group 26 Nov. 2012; HanVoice 26 Nov. 2012). According to the International Crisis Group deputy project director, "an inter-agency ROK [Republic of Korea] government committee," which includes representatives of the Ministry of Unification, the National Intelligence Service and the Ministry of Foreign Affairs and Trade, "reviews/screens their cases and the Minister of Unification has the discretion of rejecting them" (26 Nov. 2012). However, it was unclear whether this interagency review was only used for cases originating abroad. Corroboration on this statement was also not found among the sources consulted by the Research Directorate.

The LiNK representative specified that "in most cases," confirmation that individuals are "freely expressing their desire to go to South Korea and that they are in fact from North Korea" would still need to be done (7 Dec. 2012). The LiNK representative noted, however, that specific procedures could vary depending on where a South Korean embassy is located, stating that,

[i]n certain countries (for instance China), ROK embassy officials may be reluctant to offer effective protection for North Koreans because of the context of the political relationship and the

history of the Chinese Government withholding exit visas for such defectors for years in some cases and putting political pressure on governments to not assist North Korean refugees through diplomatic missions in China. (7 Dec. 2012)

Corroboration of the above statement could not be found among the sources consulted by the Research Directorate.

3. Additional Verification During Training in South Korea

Sources indicated that, before North Korean refugees are allowed to integrate into South Korean society, they must take a training program, such as at the Hanawon government training centre (HanVoice 26 Nov. 2012; Committee for HRNK 19 Nov. 2012). According to the HanVoice executive director, components of the training include language, South Korean culture, "basic" skills such as how to buy groceries or use a ATM, employment skills, and how to build savings (26 Nov. 2012). The Executive Director of the Committee for Human Rights in North Korea (HRNK), an organization based in Washington, DC, that promotes human rights in North Korea (Committee for HRNK n.d.), said in correspondence with the Research Directorate that North Korean refugees receive their national ID and passport after having completed the training program (19 Nov. 2012).

According to the HanVoice executive director, in addition to preparing the arrivals from North Korea to integrate into South Korean society, the training program is also used as an opportunity for further checking and a "secondary" screening (26 Nov. 2012). The Executive Director explained that the "identification strategy" is to have the North Koreans repeat their statements "over and over" to check for inconsistencies (HanVoice 26 No. 2012). The Executive Director added that, while the methods used at Hanawon centre are "very opaque," many individuals who have passed through the centre have complained of mental and physical abuse (ibid.). Corroboration on the above could not be found among the sources consulted by the Research Directorate.

For further information on the security screening process and the training program, please see Response to Information Request ZZZ103989 of 1 March 2012.

4. Support and Travel Assistance

Sources state that South Korean officials at missions abroad will provide aid to North Koreans seeking to go to South Korea (International Crisis Group 26 Nov. 2012; Committee for HRNK 19 Nov. 2012). Sources also state that claimants would be provided assistance in travelling to South Korea (HanVoice 26 Nov. 2012; International Crisis Group, 26 Nov. 2012; Committee for HRNK 19 Nov. 2012). However, sources agreed that the claimants would first go through the initial screening process before travelling to South Korea (LiNK 7 Dec. 2012; International Crisis Group 26 Nov. 2012; HanVoice 26 Nov. 2012).

Agence France-Presse (AFP) reports that, in an October 2012 report to Parliament, South Korea's foreign ministry indicated that there were 295 North Korean refugees housed in South Korean missions abroad, mostly in Southeast Asia (4 Oct. 2012). The HanVoice executive director also mentioned that there were 295 North Koreans being processed by South Korean missions abroad (26 Nov. 2012). According to AFP, "[m]ost face a long stay in South Korean missions, given the tough screening process they must go through before being considered for permanent resettlement in the South" (4 Oct. 2012).

However, both the HanVoice executive director (26 Nov. 2012) and the LiNK representative (7 Dec. 2012) stated that situations differ depending on the country in which a claimant requests assistance and the relationship between the third country and North Korea. The HanVoice executive director noted that China and Vietnam deport North Korean refugees found in their territory back to North Korea (26 Nov. 2012). He stated that Thailand, conversely, was willing to

deport them to whichever country the claimants preferred, including South Korea (HanVoice 26 Nov. 2012). According to the LiNK representative,

[i]f a North Korean citizen is cleared by embassy staff to go to South Korea the embassy staff will make arrangements to get them to South Korea that vary from locality to locality. In some countries the first point of contact may actually be with local government officials rather than ROK embassy officials, who are then brought into the process later on, depending on local arrangements. North Koreans may be issued with temporary travel documents to facilitate their travel to South Korea, instead of being processed as a 'refugee'.

Defectors who start their processing at South Korean embassies are typically flown to South Korea using ROK Government resources (or otherwise at no cost to the defectors, who are typically unable to afford the airfare). They are also often provided with food, medical assistance, housing and so on as needed, again depending on local context and local arrangements. (7 Dec. 2012)

According to the International Crisis Group deputy project director, once North Koreans report to a South Korean mission, "the law requires the ROK government to protect them and offer assistance," adding that South Korean officials will provide "physical protection from DPRK government officials or agents who might seek to harm them or block their flight to the ROK" (26 Nov. 2012). The Deputy Project Director also noted that claimants may be placed in safe houses (International Crisis Group 26 Nov. 2012). Corroboration of the above could not be found among the sources consulted by the Research Directorate.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

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Additional Sources Consulted

Oral Sources: Attempts to contact a representative of the Ministry of Unification of South Korea were unsuccessful. A representative of the National Committee on North Korea did not provide information for this Response.

Internet Sites, including: 38 North; Amnesty International; Australia - Refugee Review Tribunal; Brookings Institute; CanKor; CNN; ecoi.net; Factiva, Forced Migration Online; Human Rights Watch; Migration Information Source; The New York Times; Republic of Korea - Ministry of Unification; Spiegel Online; United Kingdom - Home Office; United Nations - Refworld; U.S.-Korea Institute at the Paul H. Nitze School of Advanced International Studies of Johns Hopkins University.

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