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H.E. Joo-Hong Nam,
South Korean Ambassador to Canada
150 Boteler Street
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Your Excellency,

Re: Falun Gong refugees in South Korea

I understand that about 58 Falun Gong practitioners from China, who are currently seeking refugee status under the relevant Geneva Convention in your country, are in grave and imminent danger of being sent back to China. If so, permit me to stress the following:

1-Evidence from many sources within and outside China is clear that Falun Gong practitioners have been treated with violence across China continuously since mid-June, 1999 by the party-state and its agents. This includes torture, forced labour, beatings, rape and the involuntary pillaging of their vital organs for sale to Chinese nationals and “organ tourists”. The independent report David Matas and I did can be accessed in 18 languages from www.david-kilgour.com. We have also published a book entitled, *Bloody Harvest-the Killing of Falun Gong for their Organs*.

2- To the best of my knowledge, all democracies have accordingly ruled that Falun Gong practitioners must not be returned to China. Thailand, for example, has ruled in recent months that a number of Falun Gong applicants from China now in Thailand are refugees in law and must not be removed.

3-Friends of South Korea in Canada, including myself, are asking how refugee determinations can be proceeding in your country. Do your adjudicators/judges not apply the same principles arising from the Geneva Conventions that the rest of us rule of law nations accept?

Many years ago, I represented Canada’s Department of Immigration as a Justice Department lawyer at hearings before our then Refugee Board in Ottawa. Looking back, and I’m quite certain that the same principles continue to apply, it would have been virtually unarguable to contend in 2011 that a Falun Gong practitioner from China should not be accepted as a Convention refugee in Canada. The test was whether an applicant held a reasonable apprehension of facing violence should he/her be returned to their homeland. In my opinion, no-one today can reasonably argue that violence does not await any Falun Gong returned to China.

Thank you.

