

**2012 至 2015 年度油尖旺區議會**  
**民族事務工作小組**  
**第七次會議記錄**

---

日期：2013 年 11 月 20 日(星期三)

時間：下午 4 時

地點：九龍旺角聯運街 30 號  
旺角政府合署 4 樓  
油尖旺區議會會議室

出席者：

主席

孔昭華議員

區議員

陳少棠議員, MH

侯永昌議員, BBS, MH

葉傲冬議員

高寶齡議員, BBS, MH, JP

關秀玲議員

黃頌議員

黃舒明議員

成員

Mr ALAM Dewan Saiful

Mr TAHIR Nadeem

Ms Susan SANJOY

Mr Uvais Muhammad NOOHU

Mr Mohan CHUGANI

Mr LIMBU Wanem Indra Kumar

政府部門代表

趙頌恩先生	油尖旺民政事務助理專員	民政事務總署
林浩鵬先生	油尖旺民政事務處 聯絡主任主管(南)	民政事務總署
伍麗明女士	油尖旺民政事務處 聯絡主任(南)2	民政事務總署
葉嘉敏女士	油尖旺民政事務處 活動統籌員(南)	民政事務總署

秘書

文淑欣女士	油尖旺民政事務處 行政主任(區議會)1	民政事務總署
-------	------------------------	--------

列席者：

Ms Vincci AN

Ms Rachel LI

項志浩先生

高級社工

個案經理

保安經理

香港國際社會服務社

香港國際社會服務社

香港國際社會服務社

Ms Julee ALLEN 經理

基督教毅行會重慶大廈服務中心

Mr Aime GIRIMANA 社區外展統籌員

基督教毅行會重慶大廈服務中心

陳淑華女士 九龍城及油尖旺區助理福利專員 1

社會福利署

李世樂先生 旺角區助理警民關係主任

香港警務處

曾敏成先生 旺角區警長

香港警務處

### 缺席者：

楊子熙議員

區議員

張漪薇女士

成員

Mr Mohamed Ibramsa Sikkander BATCHA 成員

### 開會詞

孔昭華主席歡迎與會者，他報告成員張漪薇女士因事缺席。

### 議項一：通過上次會議記錄

2. 上次會議記錄無須修訂，獲得通過。

### 議項二：(i)香港國際社會服務社的服務介紹

3. 孔昭華主席歡迎香港國際社會服務社(“國際服務社”)高級社工 Ms Vincci AN、個案經理 Ms Rachel LI 及保安經理項志浩先生。

4. Ms Vincci AN以電腦簡報表(附件一)介紹國際服務社的服務和「尋求庇護及聲稱受酷刑迫害人士實物援助計劃」。

5. 有委員詢問國際服務社為尋求庇護及聲稱受酷刑迫害人士提供的衣物是否全新衣物，抑或是公眾或志願團體捐贈的舊衣服。

6. Ms Rachel LI回應說，有關衣物部分全新，部分是志願團體如紅十字會捐贈的舊衣物。

### 議項二：(ii)基督教毅行會重慶大廈服務中心的服務介紹

7. 孔昭華主席歡迎基督教毅行會重慶大廈服務中心(“重慶大廈服務中心”)經理 Ms Julee ALLEN 及社區外展統籌員 Mr Aime GIRIMANA。

8. Ms Julee ALLEN以電腦簡報表介紹重慶大廈服務中心的服務。

9. 有成員欲知重慶大廈服務中心會否向尋求庇護及聲稱受酷刑迫害人士安排住宿服務。

10. Ms Julee ALLEN 回應說，重慶大廈服務中心在成立初期曾向尋求庇護及聲稱受酷刑迫害人士提供暫時留宿服務，但此項服務已停辦多年。

## 議項二：(iii)與相關政府部門交流

11. 孔昭華主席歡迎社會福利署(“社署”)九龍城及油尖旺區助理福利專員 1 陳淑華女士、香港警務處旺角區助理警民關係主任李世樂先生和旺角區警長曾敏成先生。

12. 孔昭華主席報告入境事務處(“入境處”)未能派員出席是次會議，該處的書面回覆(附件二)已置於桌上，供各成員閱覽。

13. 有成員欲知本港現時有多少名難民和尋求庇護及聲稱受酷刑迫害人士，以及社署用於此等人士的支出。此外，有成員詢問政府部門甄別難民以及尋求庇護和聲稱受酷刑迫害人所需的時間。

14. 陳淑華女士回應說，截至 2012 年年底，本港約有 200 名難民和 5 000 名尋求庇護及聲稱受酷刑迫害人士。她續稱社署總部負責管理部門在政策方面的支出，因此，她未能在是次會議就社署用於以上人士的財政開支提交數據。她又表示，政府正檢討「尋求庇護及聲稱受酷刑迫害人士實物援助計劃」的援助水平。

15. 李世樂先生表示，警方對所有在港人士(包括難民及尋求庇護和聲稱受酷刑迫害人士)一視同仁，任何人士觸犯香港法例或擾亂社會秩序，警方將依法採取行動。

16. 成員對國際服務社、重慶大廈服務中心、社署和香港警務處為難民和尋求庇護及聲稱受酷刑迫害人士提供的服務已有基本的認識。孔昭華主席感激上述機構和政府部門派代表出席是次會議。

17. 成員沒有其他意見，孔昭華主席宣布結束討論此議項。

## 議項三：匯報 2013 至 2014 年度工作小組活動的進展

18. 孔昭華主席歡迎油尖旺民政事務處(“民政處”)聯絡主任主管(南)林浩鵬先生、聯絡主任(南)2 伍麗明女士及活動統籌員(南)葉嘉敏女士。

19. 伍麗明女士以電腦簡報表(附件三)匯報本年度工作小組各項活動的進展如下：

## 活動

## 活動安排

- |                               |   |
|-------------------------------|---|
| 一) 油尖旺區少數族裔中文書法班              | 1. 油蔴地街坊會學校的書法班已於 2013 年 10 月 31 日完結，佐敦道官立小學的書法班則在 2013 年 11 月開始授課。<br>2. 表現優異的學生將獲贈香港中華總商會和 Mr Mohamed Ibrama Sikkander BATCHA 贊助的書券，以資鼓勵。 |
| 二) 油尖旺區少數族裔秋季旅行日營             | 1. 活動已於 2013 年 10 月 27 日在西貢戶外康樂中心舉行，約有 200 名區內少數族裔人士參加。   |
| 三) 油尖旺區少數族裔午餐交流會<br>("午餐交流會") | 1. 活動訂於 2013 年 12 月 14 日(星期六)假尖沙咀「海員之家」舉行。<br>2. 活動將分兩部分進行，在第一部分，區內少數族裔學生將就在港教育機會和升學困難與參加者分享經驗；在第二部分，嘉賓講者將簡介個別專業範疇的入職要求，並與參加者分享工作見聞。        |
| 四) 油尖旺區少數族裔板球錦標賽              | 1. 活動將於 2014 年 1 月 5 日在康樂及文化事務署的天光道板球場舉行。<br>2. 工作小組將安排最少六支隊伍參賽，冠、亞和季軍將獲頒發獎盃和獎牌。  |
| 五) 油尖旺區民族文化表演("民族文化表演")       | 1. 活動訂於 2014 年 2 月 16 日在九龍公園廣場舉行。<br>2. 活動包括巡遊、少數族裔歌舞表演及攤位遊戲。工作小組將在會後邀請每位成員提名兩個團體組隊參與民族文化表演。  |

20. 有成員表示，一位在職教師樂意出席午餐交流會，向在場學生介紹大學聯合招生辦法和其他升學出路。成員同意在午餐交流會的第一部分加插此環節。

21. 有成員表示，為順利舉行板球錦標賽，民政處需先擬定比賽守則，並在賽前向各隊清楚講解有關守則。

22. 孔昭華主席表示，工作小組擬邀請教育局局長、西九文化區

管理局表演藝術委員會主席、油尖旺區議會主席、油尖旺民政事務專員、九龍城及油尖旺區福利專員、旺角警區指揮官及油尖警區指揮官作為民族文化表演的主禮嘉賓，工作小組並會致函多國駐港領事，邀請他們出席此項地區文化活動。

23. 孔昭華主席呼籲各成員提名不多於兩個團體組隊參與民族文化表演的特色表演和巡遊環節。他補充，工作小組將向每個特色表演項目發放 2,000 元津貼聊表謝意，各表演團體亦須參與巡遊活動。

24. 成員沒有其他意見，孔昭華主席宣布結束討論此議項。

(會後補註：教育局在 2013 年 12 月 27 日回覆，教育局局長未克出席本年度民族文化表演。工作小組其後邀約政制及內地事務局局長，獲局長答允出任活動的主禮嘉賓。)

#### 議項六：其他事項

##### (一) 油尖旺社區重點項目－炮台街多元文化活動場所公眾諮詢會

25. 趙頌恩先生報告，民政處將於 2013 年 11 月 25 日在油麻地梁顯利社區中心舉行公眾諮詢會，向區內少數族裔社群簡介有關在炮台街休憩處興建室內活動場所的社區重點項目。他籲請小組成員邀請少數族裔人士出席該場諮詢會，就此社區重點項目發表意見。

##### (二) 資料文件－關注本港「酷刑聲請」個案的處理

26. 孔昭華主席表示，2012-2015 年油尖旺區議會第十三次會議其中一份討論文件「關注本港『酷刑聲請』個案的處理」(附件四)及入境處和社署(附件五、六)就該文件的書面回覆已置於桌上，供各成員閱覽。

##### (三) 本年度工作小組成員連續三次缺席工作小組會議

27. 孔昭華主席表示，按照區議會內務會議的議決和《油尖旺區議會常規》，工作小組成員(包括議員)如連續三次缺席工作小組會議，其小組成員資格將自動喪失。根據本年度工作小組會議的出席記錄，楊子熙議員已連續三次缺席工作小組會議，他在本年度將喪失小組成員資格。

28. 餘無別事，會議於下午 5 時 45 分結束。

油尖旺區議會秘書處  
2014 年 2 月



Assistance-in-kind to  
Asylum-Seekers, Torture  
Claimants and Refugees:

International  
Social Service  
HONG KONG BRANCH  
香港國際社會服務社

Ms. Vincci An  
Senior Social Worker  
ASTC Project  
ISSHK

08/2013




International Social Service  
Hong Kong Branch (ISS-HK)

**Vision:**  
Children, individuals, families and migrants living  
productive lives in a just, humane and caring society.

- ISS was established in 1955 in France. It is in over 100 countries with a General Secretariat in Geneva, Switzerland.
- ISS Hong Kong (ISSHK) was established in 1958.
- ISSHK is the Regional Coordinator for ISS in Asia and Pacific which includes Japan, Taiwan, Australia, Philippines, New Zealand, Korea, Indonesia, Thailand, Cambodia, Vietnam, Pakistan, India etc

08/2013

ISS Services Introduction



08/2013



Migrant Services  
(Fully funded by the Hong Kong Government)

**Mobile Information Service (MIS) at the HK International Airport**

- Provides orientation to HK, hand-outs on HK laws and rights, services for ethnic minorities in 7 languages to all incoming ethnic minorities, new arrivals and permanent residents 9 hours/day, 7 days/week.

**Harnessing Opportunities and Potentials of Ethnic Minorities (Hope Centre)**


- Resource Centre for ethnic minorities to assist in their integration to Hong Kong.
- Offers language & computer, Cross-cultural interest classes, After-school Tutorial, Orientation to HK, Health, Education and Employment trainings and seminars.

**Ambassador Scheme for Ethnic Minorities**


- Conducts household visits and direct interviews of ethnic minorities to collect data.
- Assess their knowledge and ability to access the existing services and support for ethnic minorities provided by the government and NGOs.

08/2013

ASTC Project



08/2013



Assistance-In-Kind Policy  
to Asylum-seekers, Torture Claimants and  
Refugees (ASTC)

- Humanitarian Assistance NOT welfare assistance. Assistance is to guarantee that service users do not live in destitution and are provided the basic needs of housing, food, clothing, toiletries, medical assistance and education for the children.

Assistance is in kind NOT Cash except for transportation. Giving cash assistance is considered as a probable "pull factor" for more arrivals.

- Assistance is funded and monitored by the Social Welfare Department NOT the HK Immigration Department or Security Bureau. This guarantees the use of a casework management approach and access to government services as needed.

08/2013





## Government Funding Provisions

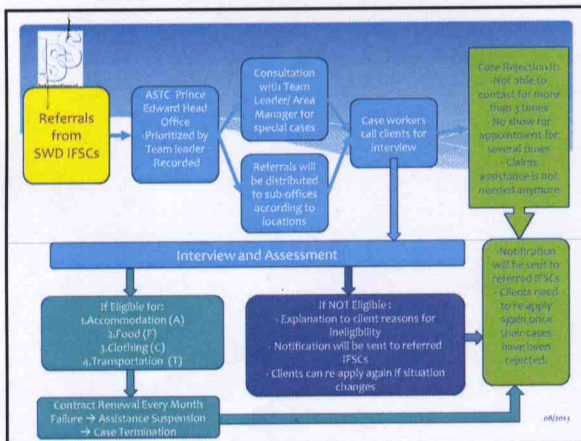
- Social Welfare Department invites tenders from all NGOs on the project implementation for two years. Since the project commenced in 2007, ISSHK has won every contract to date.
- Funding covers 100% of project costs- at least 80% for direct service to clients and at most 20% for operational costs (staff, space, equipment etc.) ISSHK may seek to add more resources and generate donations in consultation with Social Welfare Department.
- Access to public health facilities is FREE. The costs for medical waiver for all service users is arranged by the Social Welfare Department with the Hospital Authority.

08/2013

## ASTC Service Delivery Flowchart



08/2013



08/2013

## Types of Service-Users



10

08/2013



## The Service Users Children and Minors (under 18)

- Referred by UNHCR, SWD or HKID
- Accommodated in a 24 hours supervised facility – Anthony Lawrence International Refuge for Newcomers to Hong Kong
- Close monitoring of assigned caseworker with regular home visits and monthly case reviews.
- At age 18, an Independent Living Assessment will be conducted.

Total Count of Aged-Out Minor in YTM District	
COUNTS	NATIONALITY
1	INDIA
1	NEPAL
1	SOMALIA
3	TOTAL

08/2013



## Families

Married Couple (legally married)  
Married Couple with Children

Cohabiting Couple (Not legally married or maybe married in a faith-based ceremony)

Co-habiting Couple with Children

Single Parents with Children  
Pregnant Woman



12

08/2013

Total Count in YTM District	
Families and Single Parent + Child	
COUNTS	NATIONALITY
1	AFGHANISTAN
1	ANGOLA
15	BANGLADESH
1	BURKINA FASO
1	COLOMBIA
1	EGYPT
1	HONG KONG SAR
1	INDIA
61	INDONESIA
1	IRAN
1	IVORY COAST (COTE D'IVOIRE)
1	KENYA
1	MALIAN
1	NEPAL
1	NIGERIA
1	PAKISTAN
1	PALESTINIAN TERRITORIES
1	PHILIPPINES
1	RUSSIAN FEDERATION
1	RWANDA
1	SRI LANKA
1	TOGO
1	UGANDA
1	YEMEN
234	TOTAL

## Singletons

**Females**

- Single women
- Single women with children
- Over-stayers
- Ex-foreign domestic helpers
- Increasing number of reported cases of domestic violence with live-in partners and unplanned pregnancies.


**Males**

- 80% to 90% of total caseload.
- Single Male declaration but actually married and/or with family in country of origin. Usually arrives first, family joins later.
- Can easily get involved with women from the migrant population/ local Chinese residents.

Total Count in YTM District	
SINGLE	
COUNTS	NATIONALITY
1	AFGHANISTAN
1	ALGERIA
141	BANGLADESH
1	BENIN
1	CAMBODI
1	COLOMBIA
1	CONGO, REPUBLIC OF THE
1	CONGO, THE DEMOCRATIC REPUBLIC OF THE
1	EGYPT
1	FUJI
1	GAMBIA
1	GEORGIA
1	GHANA
1	GUINEA
141	INDIA
1	INDONESIA
1	IRAN
1	KENYA
1	LIBERIA
1	MAI
1	MONGOLIA
1216	TOTAL


## Sex and Gender Based Violence Victims

- Victims: Male, Female, Gay or whatever is the sexual orientation
- May involve, children, youth adults and the elderly
- Rape Victims including gang rape, military rape, incest, sodomy. Genital mutilation, Human smuggling, human trafficking victims, domestic violence victims
- Live in ISSHK Sheller for Women or specialized government/NGO facility.



## Medical Conditions and Disabilities

- Autism, Down Syndrome, Developmental Delay
- Physically challenged and wheelchair bound etc.. Recovering patients
- Depression, Suicide ideation, Anger Management Issues, Psychosis in different levels, substance abuse – drugs, alcohol
- HIV AIDS Victims, cancer, diabetes, heart ailments, aneurism,



## Services and Service Users' Locations in Hong Kong



## Types of Assistance



19

08/2013

## Accommodation



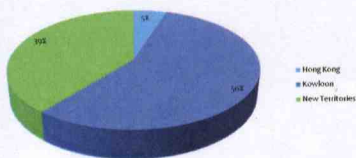
- \* Monthly Allowance (Adult: \$1200/ Child: \$600).
- \* Special consideration given to medical cases or cases with vulnerability on a case-by-case basis.
- \* Service-users are considered eligible for accommodation assistance on a monthly basis.
- \* They are primarily responsible for finding their own accommodation including roommates whenever necessary.
- \* Home visits are conducted to assess the suitability of the place according to their needs.
- \* Payments are made directly by ISSHK to the landlords.

20

08/2013

## Accommodation: Service Users' Accommodation Locations Breakdown

ASTC Service Users & Refugees  
Total Accommodation Arrangements



As of July 2013

21

08/2013

## Utilities



- \* Assistance includes payments for water, gas, electricity which are essential for daily living.
- \* A grid on the allowable rate per person for each utility is used (E: \$130/ W: \$60/ G: \$75).
- \* Payments are made directly by ISSHK to the landlords and/or the utility companies.
- \* Service users are allowed to seek other resources to top up their allowable rate should they exceed in their consumption.

22

08/2013

## Food Assistance



ISSHK has a list of 500 food items identified through the years from the service users ethnic and religious backgrounds.

- \* Halal and non-halal food, allergies, medical conditions, food preferences are considered.
- \* Individual food assistance which means a different food order per person is made even within a family where age, condition and needs are integrated.
- \* Caseworker assists in the selection and food order. Food Unit carries out the order and monitors the food suppliers.
- \* Service user collects food as scheduled in the assigned food supplier.

23

08/2013

## Food Assistance: Food Suppliers' Distribution Sites



- \* Food collection sites all underwent a strict tendering process.
- \* Monitored daily by the Food Unit staff to handle complaints, issues and client concerns.



Mainly ethnic minority stores whose staff are skilled and speaks service user language.

Food quality, systems of storage and distribution, price and staff attitudes are regularly evaluated.

24

08/2013



## Transportation Assistance

Transport using the cheapest means is provided in cash.

Document proof is required for all requests for transport assistance. Appointments covered are as follows:

1. All appointments with Hong Kong Immigration Department.
2. All appointments with the Duty lawyers Service and law firms stating the specific date and time of appointments. All court hearings.
3. Medical appointments
4. Food Pick-up at Food Collection Sites as scheduled.
5. All appointments with ISSHK caseworkers and service units.
6. One religious service activity per week.
7. Other needs deemed important by the caseworker.

08/2013



## Clothing & Toiletries

Toiletries are provided monthly for each individual service user:

male, female, children, expectant mother and newborns. It also includes pre-natal and post natal supplies.

Clothing is Individually provided and on request which include:

- Winter and summer clothing
- Blanket, babies clothing, diapers
- Clients may be referred to other agencies such as the Salvation Army.



26

08/2013



## Counseling & Psycho-Social Support

Counseling service is provided by the assigned caseworkers. Should the client require a specialized service due to the nature of the issues being addressed, 2-3 caseworkers may buddy up to provide better support.

- Individual casework is provided.
- Frequency of counseling at least once a month but varies according to needs.
- Case Sharing every month provides support/advocacy within the teams.
- Group counseling for mutual support is conducted.
- Home visits is part of counseling support.



08/2013



## Where can you find us?



### LEGEND

- ☆ ISSHK Head Office
- ★ ASTC Offices
- Prince Edward/ Mong Kok/ New Territories
- Food Supplier Distribution
- Client Living Allocations

28

08/2013



International  
Social Service  
HONG KONG BRANCH  
香港國際社會服務社

29

08/2013





酷刑聲請審理組

**Torture Claim Assessment Section**

電話 Tel 2637 4271

傳真 Fax 2647 2500

香港特別行政區政府

入境事務處

覆函請註明本處檔號

In reply please quote this ref.: ImmD TCA 7/7/R

Immigration Department

The Government of the Hong Kong

Special Administrative Region

Your ref.: HAD YTMDC/13-35/10

7 November 2013

Mr. Derek HUNG Chiu-wah  
Chairman,  
Working Group on Ethnic Affairs,  
Yau Tsim Mong District Council,  
4/F Mong Kok Government Offices,  
30 Luen Wan Street,  
Kowloon.

Dear Mr. HUNG,

**Re: 7th Meeting of Working Group on Ethnic Affairs  
Yau Tsim Mong District Council**

Thank you for your letter of 31 October 2013 inviting us to attend the captioned meeting on 20 November 2013 for giving a brief introduction of support services by Immigration Department (ImmD) for refugees and / or asylum seekers in Hong Kong.

The 1951 Convention relating to the Status of Refugees and its 1967 Protocol do not apply to Hong Kong. The Administration has always maintained a firm policy of not granting asylum, and accordingly, asylum



Approved by The Hong Kong Council of Social Service  
香港社會服務會

九龍九龍灣宏光道39號次天廣場9樓903B至910A室

Unit 903B - 910A, 9/F, Skyline Tower, 39 Wang Kwong Road, Kowloon Bay, Kowloon

電郵地址 E-mail Address : [enquiry@immd.gov.hk](mailto:enquiry@immd.gov.hk) 網址 Website : <http://www.immd.gov.hk/html/home.htm>

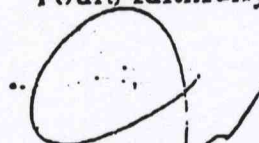


claims have always been assessed by the United Nations High Commissioner for Refugees in Hong Kong.

The ImmD had in place an administrative mechanism to determine torture claims<sup>1</sup>. In December 2009, the Administration enhanced the mechanism to meet with the high standards of fairness required by the Court; the mechanism was underpinned by statutory provisions since December 2012. Subsequently, the Court of Final Appeal made two further judgments<sup>2</sup> that before the ImmD removes or deports any person to another country, it should also consider that person's claimed risk of being subjected to torture or cruel, inhuman or degrading treatment or punishment under Article 3 of Hong Kong Bill of Rights, and/or fear of persecution with reference to the Article 33 of the Refugee Convention. Accordingly, the Administration has announced its plan on 2 July 2013 to introduce a unified screening mechanism to assess these claims for non-refoulement in one go by end 2013.

Regarding the support services for torture claimants, asylum seekers and mandated refugees in Hong Kong, they are outside the purview of the ImmD. Hence, we regret to inform you that the ImmD would not attend the meeting on 20 November 2013.

Yours faithfully,



( Ms Chan Chun-lin )  
for Director of Immigration

---

1 Since 1992, the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) has been extended to Hong Kong. Its Article 3(1) provides that "no State Party shall expel, return ("refouler") or extradite a person to another State where there are substantial grounds for believing that he would be in danger of being subjected to torture.

2 *Uthmaniya Edward Wilson v. Secretary for Security (FACV 15/2011)* in December 2012 and *C & Ors v. Director of Immigration (FACV 18-20/2011)* in March 2013



## ACTIVITIES PROGRESS REPORT 2013 – 2014

Working Group on Ethnic Affairs  
Yau Tsim Mong District Council

20 November 2013

### CONTENT

- o Yau Tsim Mong District Ethnic Minorities  
**Chinese Calligraphy Course**
- o Yau Tsim Mong District Ethnic Minorities  
**Day Camp**
- o Yau Tsim Mong District Ethnic Minorities  
**Luncheon Symposium**
- o Yau Tsim Mong District Ethnic Minorities  
**Cricket Tournament**
- o Yau Tsim Mong District Ethnic **Cultural Show**

### YAU TSIM MONG DISTRICT ETHNIC MINORITIES CHINESE CALLIGRAPHY COURSE

- |   |  |
|---|--|
| o <u>Yaumati Kaifong</u><br><u>Association School</u> | o <u>Jordan Road Government</u><br><u>Primary School</u> |
| o Date : 26 Sep – 31 Oct 2013                         | o Date : 11 Nov – 16 Dec 2013                            |
| o Time : 15:15 – 16:15                                | o Time : 15:15 – 16:15                                   |



### YAU TSIM MONG DISTRICT ETHNIC MINORITIES DAY CAMP

- o Date : 27 October 2013 (Sunday)
- o Time : 09:00 – 16:00
- o Venue : Sai Kung Outdoor Recreation Centre



**YAU TSIM MONG DISTRICT ETHNIC MINORITIES  
LUNCHEON SYMPOSIUM**

- o Date : 14 December 2013 (Saturday)
- o Time : 09:00 – 15:00
- o Venue : Mariners' Club
- o Content :
  - Session 1 – “Education for Ethnic Minorities – Opportunities & Challenges”
  - Session 2 – “Jobs and Careers Prospect for Non-Chinese Youth”
  - Sharing on-stage and Q & A session after each session
  - Buffet Lunch

**YAU TSIM MONG DISTRICT ETHNIC MINORITIES  
CRICKET TOURNAMENT**

- o Date : 5 January 2014 (Sunday)
- o Time : 09:00 – 18:00
- o Venue : Tin Kwong Road Recreational Ground
- o Participants : 6 teams of players (tentative)
- o Content :
  - Trophies and Medals will be awarded to the first 3 winning teams

**YAU TSIM MONG DISTRICT ETHNIC  
CULTURAL SHOW**

- o Date : 16 February 2014 (Sunday)
- o Time : 12:00 – 18:00
- o Venue : Kowloon Park Piazza
- o Co-organizer : Yau Tsim Mong District South Area Committee
- o Content :
  - Parade and Performances by different ethnics
  - Booths set up for games and displays
  - Lucky draw

**ACTIVITIES PROGRESS REPORT  
2013 – 2014**

**Thank You!!**

**~The End~**



2012-2015 年度  
油尖旺區議會

## 關注本港「酷刑聲請」個案的處理

### 背景

近月不同傳媒就「酷刑聲請」作出報道，加上早前油尖旺區曾發生涉及酷刑聲請人士的罪案，社區對此類個案開始關注。據了解，除「酷刑聲請」外，有人亦以「不人道處遇」、「政治迫害」等理由申請留港，部份個案因此拖延多時。

本港作為國際都會，有國際道義的責任協助受政治脅迫的外地人士，然而，亦要兼顧本港的公眾和整體利益，據知有不少「酷刑聲請」的個案拖延多年，仍未能有適當途徑妥善處理，我們對有關情況深表關注。

### 查詢及意見

1. 請問現時全港有多少宗「酷刑聲請」和「政治難民」的個案？政府每年完成審批的個案又有多少？
2. 若有關人士在申請「酷刑聲請」被拒後，再以「不人道處遇」、「政治迫害」等理由申請留港，現時一般要處理多久？
3. 過去 5 年有多少宗涉及「酷刑聲請」、「不人道處遇」與「政治迫害」申請人的罪案數字有多少？有關監禁刑期會否影響當局審批其申請的時間？
4. 請問社會福利署現時對「酷刑聲請」、「不人道處遇」、「政治迫害」等留港人士提供了什麼援助？社會福利署委派了多少間社福機構專責處理個案？
5. 早前有報道指入境處會將申請簡化，請問何時會推出新的申請方案？新方案推出後處理每宗個案需時多久？以及新方案會否影響現時的申請人？
6. 我們期望新機制能協助真正有需要人士，亦要防止遭到濫用，而政府基於人道理由協助申請人的同時，應加快處理他們的申請個案的速度，無論批准申請與否，應讓申請人及早知悉，讓他們不會等候太久。

### 文件提呈

請保安局、入境處及社會福利署代表就上述事宜作出解答。文件提呈於 2013 年 10 月 31 日油尖旺區議會會議討論。

提呈人： 陳少棠、鍾港武、葉傲冬、楊子熙  
孔昭華、關秀玲、蔡少峰、劉柏祺

2013 年 10 月 16 日

真誠為香港



**Responses to "Concerns on the Processing of Torture Claim Cases"**

**(關注本港「酷刑聲請」個案的處理)**

**Difference between Torture Claim and Refugee Claim**

1. Torture claimants are persons not having the right to enter and remain in Hong Kong. Most of the torture claimants are illegal immigrants while the remaining majority are of overstayer's status and should be subjected to removal in accordance with the Immigration Ordinance. In view of the court judgments, the ImmD would withhold removing or deporting any person to another country where the person faces a risk of being subjected to torture or cruel, inhuman or degrading treatment or punishment (CIDTP) or lodges claim for fear of persecution, until his claim has been finally determined in a manner that satisfies high standards of fairness.

2. Claims under torture, CIDTP or persecution are non-refoulement claims that require Hong Kong to temporarily suspend removal of the claimant to his country of origin and is different from claims for refugee status. The 1951 United Nations Convention ("the Convention") relating to the Status of Refugees has never been extended to Hong Kong. HKSAR Government has a firm policy of not granting asylum and do not have any obligation to admit individuals seeking refugee status under the Convention.

**Processing Time of Torture Claim**

3. The claimants will generally not seek for non-refoulement protection from the HKSAR Government immediately after arrival. Overstayers only lodged their claim after having arrived in Hong Kong for an average of around 21 months. Majority of the claimants lodged their torture claims to resist removal only upon their arrest or imprisonment; or upon their removal or deportation proceedings were underway.

4. The time required to process a claim depends on an array of factors, and the cooperation of claimants with the ImmD to provide information in a timely manner in the screening process is particularly essential. It takes the ImmD about 2 months on average to complete processing a claim upon receipt of a completed torture claim form with necessary information provided.



5. Irrespective of whether the claimant is imprisoned, the ImmD will commence the assessment process, including arranging the briefing session for the commencement of the screening process and the screening interview by the Immigration Officer, etc. The imprisonment of claimants and the length of sentence are not the factors which would affect the processing time on the torture claims. Besides, Claimants aggrieved by ImmD's decisions have a right to lodge an appeal to the Torture Claims Appeal Board within 14 days. The Appeal Board usually takes 4 weeks to complete the appeal. (Longer time may be required if oral hearing is to be conducted). In overall, putting together the time for returning the completed torture claim form and supporting documents, the Administration generally takes 6 to 9 months to complete the claim.

6. However, some claimants attempted to delay the assessment process at various stages. They did not attend the briefing session for the commencement of the screening process, did not contact the assigned duty lawyer for the filling of the Torture Claim Form (TCF), applied for extension of time for submission of the TCF with different reasons, absence from the screening interview as arranged by Immigration Officers for reason of sickness or even without giving any reason. Some claimant also requested the ImmD to suspend the assessment by claiming that they would submit additional information but produced none subsequently. All such behaviours made it difficult for the ImmD to expedite the CAT claim process. There were some claimants who requested to withdraw and re-open the torture claims repeatedly within years and made use of different tactics in delaying the assessment process. The situation, however, was observed to be improving after the implementation of the statutory mechanism since December 2012.

#### **Statistics on Torture Claims**

7. Please refer to Appendix I to III for statistics on torture claims.

#### **The Unified Screening Mechanism ("USM")**

8. In compliance with the two Court of Final Appeal judgments (*Uhamaka Edward Wilson v Secretary for Security* and *C & Ors v. Director of Immigration*) in December 2012 and March 2013, the Government briefed to the panel on Security of the Legislative Council on 2 July on the Administration's plan to introduce a unified screening mechanism, which bases largely on the existing screening mechanism for

torture claims, to screen the non-refoulement claims under torture, CIDTP or persecution in one go. We aim to commence the operations of the USM by end 2013. For those claimants with torture claims under processing, the ImmD will assess all claims under the USM.

9. In addition to considering the two new claims (CIDTP and persecution claims), the procedures of the USM would be consistent with the prevailing statutory mechanism. At present, the ImmD is unable to estimate the time required to process a non-refoulement claim after introduction of the USM as the cooperation of claimants with the ImmD to provide information in a timely manner in the screening process is particularly essential. However, it is expected that the claims could be assessed in one go after the implementation of the USM.

#### **Humanitarian Assistance**

10. If the basic needs of those who are seeking asylum or mandated as refugees by the United Nations High Commissioners for Refugees in Hong Kong, or have lodged non-refoulement claims to the ImmD cannot be met, on humanitarian grounds, the Social Welfare Department, in collaboration with a non-governmental organization named International Social Service Hong Kong Branch and on a case-by-case basis, will offer in-kind humanitarian assistance to them, covering temporary accommodation, food, clothing, other basic necessities, appropriate transport allowances, basic medical service, and education (provided for minor claimants), etc.

11. The assistance-in-kind is only a humanitarian one instead of a welfare service. It aims at preventing them from becoming destitute; meanwhile it will not create a magnetic effect or attract a large number of illegal immigrants causing an adverse effect on the immigration control and the long term sustainability of the supporting system.

**Security Bureau**  
**Immigration Department**  
**26 October 2013**



## Appendix I

### Torture Claim Cases

Year	Received	Determined <sup>1</sup>	Withdrawn or NFA	Outstanding (Cumulative)
2005 or before	53	0	4	49
2005	211	1	30	229
2006	528	43	54	660
2007	1 584	82	51	2 111
2008	2 198	179	132	3 998
2009	3 286	0	1037	6 340
2010 <sup>2</sup>	1 809	214	1186	6 749
2011	1 432	932	802	6 447
2012 <sup>3</sup>	1 174	1 575	1154	4 892
2013 (as at end Sep)	427	1 228	625	3 466
<b>Total</b>	<b>12 702</b>	<b>4 254</b>	<b>5 075</b>	<b>3 466</b>

1 – This refers to the cases determined by the Immigration Department (ImmD).

2 – The ImmD implemented the enhanced screening mechanism in December 2009.

3 – The Immigration (Amendment) Ordinance 2012, which provides for a statutory framework to underpin the enhanced mechanism for making and determining claims, was enacted in July 2012 and came into operation on 3 December 2012.

## Appendix II

### Statistics on Torture Claims Processed (as at end September 2013)

Decisions made (Since December 2009)	3 949 <i>(including 11 substantiated cases)</i>
Claims withdrawn	3 624
No further action (e.g. Abscondence of claimants)	242
Under processing	3 466
<b>Total</b>	<b>12 702*</b>

\* Including 1 421 cases processed / withdrawn under mechanism before December 2009



### Appendix III

In the past 4 years, among the non-Chinese illegal immigrants or overstayers, who were allowed recognizance, were mainly torture claimants. Statistics of the arrested offenders are tabulated as below:-

Year	Unlawful employment*	Other offences**
2009***	36	473
2010	172	506
2011	156	476
2012	190	493
2013	116	384
	January to September	January to July

\*Arrested by Immigration Department because of breach of section 38AA of the Immigration Ordinance for having taken up unlawful employment

\*\*Arrested by Police because of breach of other offences, mainly theft, common assault or drug related

\*\*\* Commencement of the Immigration Amendment Ordinance 2009 on 14 November 2009

YTMDC Paper No. /2013  
(For information of meeting on 31.10.2013)

## **Humanitarian Assistance for Torture Claimants, Asylum Seekers and Mandated Refugees in Hong Kong**

### **Purpose**

The purpose of this paper is to respond to the question raised by Mr CHAN Siu-tong, Mr CHUNG Kong-mo, Mr IP Ngo-tung, Chris, Mr YEUNG Tsz-hei, Benny, Mr HUNG Chiu-wah, Derek, Ms KWAN Sau-ling, Mr CHOI Siu-fung, Benjamin and Mr LAU Pak-kei, District Councillors, on the handling of cases of torture claimants by the Social Welfare Department (SWD).

### **Humanitarian Assistance Provided**

2. On humanitarian grounds, the Administration, in collaboration with non-governmental organisations and on a case-by-case basis, has been offering in-kind assistance to torture claimants, asylum seekers and mandated refugees who are deprived of basic needs during their presence in Hong Kong.
3. The in-kind assistance provided to torture claimants, asylum seekers and mandated refugees is not welfare assistance provided to eligible Hong Kong residents. Its aim is to provide support which is considered sufficient to prevent them from becoming destitute. Currently, the SWD has commissioned the International Social Service Hong Kong Branch (ISS-HK) to handle this category of cases. ISS-HK conducts assessment and provides in-kind assistance for those in need on a case-by-case basis. The types of assistance offered include temporary accommodation, food, clothing, basic necessities and appropriate transport allowances.
4. In addition, service units of the SWD will make recommendations to the Hospital Authority for one-off waiver of medical expenses at public clinics or hospitals to torture claimants, asylum seekers and mandated refugees on a case-by-case basis.
5. The in-kind assistance provided to individual service users varies according to the needs and personal situations of the person concerned, including availability of his own resources and the resources available to him from other sources. There is no monetary-equivalent ceiling on how much an individual service user in genuine need may receive.