

Welfare Assistance for Asylum Seekers

Background

The 1951 United Nations Convention relating to the Status of Refugees (“the 1951 UN Convention”) does not apply to Hong Kong. Hong Kong is small in size and has a high and dense population. Our unique situation, set against the backdrop of our relative economic prosperity in the region and our liberal visa regime, makes us vulnerable to possible abuses if the 1951 UN Convention were to be extended to Hong Kong. We thus have a firm policy of not granting asylum and do not have an obligation to admit individuals seeking refugee status under the 1951 UN Convention.

Claims for refugee status which are lodged in Hong Kong are dealt with by the United Nations High Commissioner for Refugees (“UNHCR”). Our understanding is that those who are determined to be refugees by the UNHCR will be provided with subsistence allowance and resettled elsewhere by the UNHCR.

Latest situation

The Administration, in collaboration with non-governmental organizations (NGOs) and on a case-by-case basis, offers welfare assistance in kind to asylum seekers who are deprived of basic needs during their presence in Hong Kong while their claims are being processed by relevant authorities. The types of assistance offered include temporary accommodation, food, clothing and counseling. Recommendation for waiver of medical expenses at public clinics or hospitals has also been issued for appropriate cases. The package of assistance offered to individual asylum seeker varies according to the unique needs and personal situations of the person concerned, including the availability of his/her own resources and the resources available to him/her from other sources.

In formulating the policy regarding the nature, level and mode of the support to be given to needy asylum seekers, the Administration has considered a basket of factors including the needs of the asylum seeker concerned, the constraints that the Government faces in providing for the needs, the need to properly and rationally allocate available resources, and the support which is considered sufficient to prevent a person from becoming destitute while not creating a magnet effect which could have serious implications to the sustainability of our systems. It is considered that the present arrangement of providing welfare assistance in kind strikes an appropriate balance having regard to the aforesaid relevant factors.

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