

**Society for Community Organization
Asylum Seekers' and Refugees' Voice
52, Princess Margaret Road, 3/F
Homantin
Tel: 2713 9165 Fax: 2761 3326**

30 November 2009

**Submission to Panel on Security of the Legislative Council
regarding the CAT screening mechanism**

For the meeting 1st December 2009

Questions to the Administration:

1. What is the time table for the legislative framework for the screening procedures of the torture claims?
2. Besides from the training programme in mid-December what other training will the duty lawyers receive to ensure that asylum seekers receive qualified legal advice? Are there plans for additional funding from the Administration for follow up training?
3. What is the time table for publishing the Guidelines for handling the CAT claims?
4. With more than 6,000 CAT claims pending - some of them being claims initiated several years ago and some being claims first launched this year - will the Administration handle old cases first, and if so, what is the time frame for the intake of new cases?
5. Regarding the proposed legislative framework, it is stated that a claimant will not be deported to his place of origin where there is a substantiated risk of torture. However, on the other hand such a person will not become a resident of Hong Kong. We wish to reiterate that without a long term plan for the lives and fate of the claimants the torture screening mechanism will not have much value.
 - What is the legal status of people with substantiated cases? Will they just be on recognizance as claimants whose cases are under process?
 - For how long are they supposed to stay in Hong Kong, not being regarded as an ordinary resident of Hong Kong?
 - Does the government have any plans of resettling them to other countries and has the government discussed this matter with other countries?
 - Will people with substantiated cases be allowed to work?