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Bills Committee on Immigration (Amendment) Bill 2011

**Background brief on legislative proposal to provide for
a statutory framework for determining torture claims
prepared by the Legislative Council Secretariat**

Purpose

This paper provides information on past discussions of the Panel on Security ("the Panel") on the legislative proposal to provide for a statutory framework for determining torture claims.

Background

2. The United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment ("CAT") has been applied to Hong Kong since 1992. Article 3(1) of CAT requires State Parties not to expel, return 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. Torture claims made under Article 3 of CAT have been handled by the Immigration Department under an administrative screening mechanism.

3. The administrative screening mechanism for handling of torture claims have been subject to challenge in courts. In *Secretary for Security v Sakthevel Prabakar (Prakabar)*, the Court of Final Appeal held that high standards of fairness must be demanded in the determination of CAT claims as such determination may put a person's life and limb in jeopardy and take away from him his fundamental human right of not being subject to torture. In *FB v Director of Immigration and Secretary for Security*, the Court of First Instance, in considering the fairness of the procedures for dealing with torture claimants, held that the Director of Immigration's blanket policy of denying legal representation to torture

claimants was unlawful and failed to meet the required high standards of fairness.

4. Following the above court decisions, the Administration reviewed and revised the administrative screening mechanism for torture claims. According to the Administration, the revised mechanism, which commenced in December 2009, includes the provision of publicly-funded legal assistance to torture claimants through the Duty Lawyer Service, training for decision makers and a new petition procedure involving adjudicators with legal background.

5. At the Panel meeting on 6 July 2009, the Administration advised that it planned to introduce a statutory torture claims screening mechanism.

Deliberations of the Panel

6. The Panel was briefed on the Administration's legislative proposal in respect of the mechanism for screening of torture claims at its meetings on 12 April and 5 July 2011. Members noted that torture claimants would be required to provide grounds and available supporting documents within a prescribed timeframe, which was to be made by subsidiary legislation. There was a view that the timeframe for a claimant to provide grounds for the torture claim and supporting documents should not be prescribed by subsidiary legislation.

7. Concern was raised as to whether human rights groups had been consulted on the proposed statutory torture claim screening mechanism. According to the Administration, relevant human rights concern groups had been consulted in the process.

8. Members noted that to ensure fair and effective screening and to reduce abuse, the Administration proposed that certain behaviour of claimants, including that intended to conceal information (e.g. route of travelling to Hong Kong, right to return to another State, etc.), mislead or delay the handling of the claim, might be considered damaging to their credibility. Some members opposed the Administration's proposal and pointed out that the concealing of information might sometimes be necessary for the purpose of protection of a third party.

9. According to the Administration, the concealing of information itself might not be considered behaviour damaging to a claimant's creditability. It was the concealing of information such as right of abode in another state that might be considered as behaviour damaging to a claimant's creditability. In this connection, the Administration had studied the systems of other common law jurisdictions and noted that a similar requirement was found in the legislation of the United Kingdom.

10. There was a suggestion that the Administration should introduce a coherent and comprehensive system for contemporaneous assessment of both torture claims made under CAT and claims for refugee status filed with UNHCR under the 1951 United Nations Convention relating to the Status of Refugees ("the Refugee Convention").

11. According to the Administration, the Refugee Convention did not apply to Hong Kong and the Government had no obligation to admit persons seeking refugee status or to handle refugee status determination. Hong Kong's relative economic prosperity in the region and its liberal visa regime made the territory vulnerable to possible abuses if the Refugee Convention was to be extended to Hong Kong.

12. At the request of the Panel, the Research Division of the Legislative Council Secretariat conducted a study on the mechanisms for handling torture claims in five selected jurisdictions, including the United States, Australia, the United Kingdom, Switzerland and Japan. The research report was issued to members in July 2011. A comparison of the mechanism in the jurisdictions studied extracted from the report is in **Appendix I**.

Relevant papers

13. A list of relevant papers available on the Legislative Council website is in **Appendix II**.

Mechanisms for handling torture claims in selected jurisdictions

	The United States	Australia	The United Kingdom	Switzerland	Japan
Background					
Major relevant legislations	<ul style="list-style-type: none"> • <i>Foreign Affairs Reform and Restructuring Act of 1998;</i> • <i>Immigration and Nationality Act;</i> and • <i>Code of Federal Regulations.</i> 	<ul style="list-style-type: none"> • <i>Migration Act 1958;</i> and • <i>Migration Regulations 1994.</i> 	<ul style="list-style-type: none"> • <i>Nationality, Immigration and Asylum Act 2002;</i> and • <i>Human Rights Act 1998.</i> 	<i>Asylum Act of 1998.</i>	<i>Immigration Control and Refugee Recognition Act.</i>
Responsible authorities	<ul style="list-style-type: none"> • US Citizenship and Immigration Services ("USCIS") under the Department of Homeland Security ("DHS"); and • Executive Office of Immigration Review ("EOIR") under the Department of Justice ("DOJ"). 	Department of Immigration and Citizenship ("DIAC").	UK Border Agency ("UKBA") of the Home Office.	Federal Office for Migration ("FOM").	Immigration Bureau of the Ministry of Justice ("MOJ").

Mechanisms for handling torture claims in selected jurisdictions

	The United States	Australia	The United Kingdom	Switzerland	Japan
Lodging of torture claims					
Whether torture claims can be lodged under CAT directly	Yes, such application should be filed in the same manner as those seeking asylum.	No.	No, but applicants may make human right claims under the European Convention on Human Rights ("ECHR") ⁽¹⁾ during the asylum process.	No.	No.
How to lodge claims	Applicants may initiate a claim for CAT relief by either requesting such relief before an immigration judge during the removal proceeding, or by presenting evidence or information contained on Form I-589 to the Immigration Court to indicate that he may be tortured in the country of removal.	Applications for refugee status are lodged with DIAC by completing Form 866.	Applicants can apply for asylum through an immigration officer on arrival at the port of entry. If the applicants are in the UK, they should book an appointment to meet with the Asylum Screening Unit of UKBA.	There are no requirements on how an application is submitted. It may be submitted orally or in writing to a Swiss mission abroad, to a border post, to the border control at a Swiss airport, or to a Reception and Procedure Centre of FOM.	An asylum seeker is required to submit, in person, a written application and evidentiary documents to a Regional Immigration Bureau.

Note: (1) Article 3 of the European Convention on Human Rights provides a prohibition on torture and of inhuman or degrading treatment or punishment, which is similar to that of CAT.

Mechanisms for handling torture claims in selected jurisdictions

	The United States	Australia	The United Kingdom	Switzerland	Japan
Preliminary screening					
Whether there is preliminary screening before full hearing/ interview	No.	No.	Yes. Applicants will go through a screening process before they are allocated to case owners.	Yes. A preliminary interview is conducted before applicants are allocated to cantons.	No.
Screening procedure	Not applicable.	Not applicable.	<ul style="list-style-type: none"> Applicants will be interviewed briefly and expected to produce either passports or travel documents to establish their identity and nationality and to support their application. Applicants are assigned to one of five "segments" that determines the future pathway of their claim. 	<ul style="list-style-type: none"> Applicants will have to provide personal data and information on their travel route to Switzerland. Decision should be made within 20 working days after application. If a decision cannot be taken within this timeframe, FOM will allocate the applicant to a canton. 	Not applicable.

Mechanisms for handling torture claims in selected jurisdictions

	The United States	Australia	The United Kingdom	Switzerland	Japan
Hearing/interview to determine torture/asylum claims					
Form of the determination procedure	Adversarial (courtroom-like) hearing.	Non-adversarial interview.	Non-adversarial interview.	Non-adversarial interview.	Non-adversarial interview.
Who will conduct the hearing/interview	Hearing is presided over by an immigration judge appointed by the Attorney General. The immigration judge will hear arguments from both parties (i.e. the applicant and the US government).	The case manager, who is a trained officer of DIAC, will conduct the interview.	The case owner, who is an officer of the Home Office, will conduct the interview.	Interview is conducted by a FOM officer in the presence of a representative of a non-governmental organization ("NGO"), who functions as an impartial observer to verify if the rules of procedure are respected during the interview.	A Refugee Inquirer ("RI") who is an Immigration Inspector designated by MOJ, will conduct the interview.

Mechanisms for handling torture claims in selected jurisdictions

	The United States	Australia	The United Kingdom	Switzerland	Japan
Hearing/interview to determine torture/asylum claims (cont'd)					
What will happen during the hearing/interview	Both parties will present the merits of the case to the immigration judge. The DHS attorney may cross-examine the applicant and other witnesses.	The case manager will ask the applicant questions about the claims.	The applicant will be asked to explain the reasons for seeking asylum in the UK. The applicant should give as much detail about the asylum application as possible and may submit additional evidence.	The applicant will have to justify his application and explain the reasons for requesting asylum.	RI will ask questions based on the statement submitted by the applicant together with the application.
Whether legal representation is allowed during the hearing/interview	Yes, but at no expense to the government.	No, but DIAC may allow the applicant's friend, relative or migration agent to attend the interview.	No, the applicant must respond in person to questions, but he may bring a legal representative to the interview.	No, the applicant must respond in person to questions, but a lawyer may attend the interviews.	No, the applicant is not entitled to have a lawyer or anyone else present to assist or advise.

Mechanisms for handling torture claims in selected jurisdictions

	The United States	Australia	The United Kingdom	Switzerland	Japan
Hearing/interview to determine torture/asylum claims (cont'd)					
Burden of proof	The applicant bears the burden of proving that it is more likely than not that he would be tortured if removed to the proposed country of removal. In making such assessment, all evidence relevant to the possibility of future torture is required to be considered.	The applicant is required to give the case manager all the information necessary for making a decision on the application within the timeframe specified.	The interview is the only chance for the applicant to tell the case owner why returning to his country may lead to himself being tortured, and all the information he wishes to be considered.	Asylum seekers must prove or at least credibly demonstrate their refugee status.	The applicant is expected to prove that he is a refugee by substantial evidence or by testimony of persons concerned.

Mechanisms for handling torture claims in selected jurisdictions

	The United States	Australia	The United Kingdom	Switzerland	Japan
Hearing/interview to determine torture/asylum claims (cont'd)					
Decision maker	The immigration judge.	The case manager.	The case owner.	FOM officer conducting the interview.	Preliminary assessment by RI, after endorsement by the Regional Director General, is forwarded for final assessment by the Refugee Recognition Section ("RRS") of the Immigration Bureau. The RRS Director submits a recommendation to the Minister of Justice who makes the final decision.
Time limit for making decision	Unlike asylum claims, claims under CAT are not subject to the 180-day timeframe. In any event, applicants applying for both asylum and CAT relief will be subject to the 180-day expedited docket.	Most applications will be decided within 90 days.	The case owner aims to give the applicant the decision within about 30 days from the date of application.	The asylum decision is normally made within three months of the application.	While there is no statutory provision on the duration, the Ministry of Justice officially states its target of making the decision within six months.

Mechanisms for handling torture claims in selected jurisdictions

	The United States	Australia	The United Kingdom	Switzerland	Japan
Hearing/interview to determine torture/asylum claims (cont'd)					
How the decision is reached	If the immigration judge determines that the applicant would more likely than not be tortured in the country of removal, he is entitled to protection under Article 3 of CAT.	The case manager assesses applications against Australian migration law and the Refugee Convention, and may also refer to current information on the conditions of the country of origin.	The case owner assesses each application on its merits. He will make the decision based on information provided by the applicant, and the information that UKBA has about the applicant's country of origin.	In making the decision, FOM determines whether the applicant meets the criteria for refugee status under Article 3 of the <i>Asylum Act</i> and verifies that there are no legal grounds for refusing asylum.	Recognition of refugee status will be based on the materials submitted by the applicant.

Mechanisms for handling torture claims in selected jurisdictions

	The United States	Australia	The United Kingdom	Switzerland	Japan
Appeal and review procedures					
Time limit for lodging appeals	An appeal must be filed within 30 days of an immigration judge's decision.	An appeal must be lodged within 28 calendar days after notification of the decision by DIAC if the applicant is not in immigration detention. The timeframe for lodging appeal is seven working days if the applicant is in detention.	The appeal form must reach the First-tier Tribunal within five working days from the day when the applicant receives the notice of decision if he is in detention, or within 10 working days from the day when the applicant receives the notice of decision if he is not in detention. Asylum seekers with "clearly unfounded claim" or those came from "safe" countries ⁽²⁾ will only be able to appeal after they have left the UK.	An appeal must be submitted within 30 days after notification of the negative decision by FOM.	An appeal must be filed by submitting to MOJ an Appeal Application Form within seven days from the date when the applicant receives the notice of refusal of refugee status.

Note: (2) Under Section 94 of the *Nationality, Immigration and Asylum Act 2002*, the Secretary of State can deem a country to be "safe" and certify claims of applicants from that country as "clearly unfounded".

Mechanisms for handling torture claims in selected jurisdictions

	The United States	Australia	The United Kingdom	Switzerland	Japan
Appeal and review procedures (cont'd)					
Review authorities	Board of Immigration Appeals ("BIA"), an administrative appellate tribunal within DOJ.	Refugee Review Tribunal ("RRT"), an independent statutory body.	Immigration and Asylum Chamber of the First-tier Tribunal, an independent judicial body.	Federal Administrative Court, an independent court.	Adjudication Section of the Immigration Bureau of MOJ, a government agency.
Who will hear the appeal	Mostly one but sometime a panel of three Board members of BIA, who are attorneys appointed by the Attorney General, will hear the appeal.	A sole RRT member, who is not necessarily a lawyer and is appointed by the Minister for Immigration and Citizenship, will hear the appeal and make the decision.	Appeals are heard by one or more immigration judges who are sometimes accompanied by non legal members of the Tribunal.	In general, three judges of the Federal Administrative Court conduct the review of a case.	The applicant may request MOJ to hold a hearing with the immigration officers and independent Refugee Examination Counsellors who are appointed by the Minister of Justice. Nonetheless, their conclusions are not binding. The final decision still rests with the Minister of Justice. For those who do not request a hearing, the Counsellors and immigration officers will review the case on paper.

Mechanisms for handling torture claims in selected jurisdictions

	The United States	Australia	The United Kingdom	Switzerland	Japan
Appeal and review procedures (cont'd)					
Form of the appeal procedure	Paper review.	Oral hearing.	Oral hearing.	Paper review.	Paper review or interview.
Appeal process	The applicant may file a written brief in support of his appeal, while DHS may file a brief in opposition to the applicant's appeal.	No representative for DIAC will attend the hearing. The applicant will present his case at the hearing.	At the full hearing, the applicant and his representative are provided with opportunities to present their case. UKBA will also have a legal representative at the hearing.	The appeal should contain a clear request or petition, and the appellant should state the reasons for his request and provide documentary proof if possible.	The applicant answers questions of the Refugee Examination Counsellors. The applicant's friends or other third parties may attend the hearing and provide their opinions for the Counsellors' consideration.

Mechanisms for handling torture claims in selected jurisdictions

	The United States	Australia	The United Kingdom	Switzerland	Japan
Appeal and review procedures (cont'd)					
Whether legal representation is allowed during the appeal procedure	Yes, the applicant may be represented by an attorney or an accredited representative.	Yes, the applicant should contact RRT prior to the hearing or raise the matter with RRT at the start of the hearing if he requires legal representation.	Yes, the applicant will usually attend the hearing with his legal representative.	Yes, NGOs may assist asylum seekers in submitting an appeal, or they may write the appeal on behalf of the asylum seeker.	Yes, lawyers can be present on behalf of asylum seekers as a representative.
Whether the appeal has suspensive effect ⁽³⁾	Yes, removal of the applicant cannot be effectuated while the appeal is pending before BIA.	Yes, a person must be removed from Australia as soon as reasonably practicable when an application rejection decision is no longer subject to review by RRT.	Yes, the appellant cannot be removed while the appeal is pending. However, applicants with "clearly unfounded claim" or from "safe" countries are not permitted to make an appeal in the UK. They will be removed and can only pursue any appeal from outside the UK.	Yes, the removal order is not carried out while the appeal is pending.	Yes, deportation procedures will only be resumed when an appeal has been dismissed or rejected.

Note: (3) With suspensive effect, the applicant will not be removed while the appeal is pending.

Mechanisms for handling torture claims in selected jurisdictions

	The United States	Australia	The United Kingdom	Switzerland	Japan
Appeal and review procedures (cont'd)					
Whether the review decision is further reviewable	Yes, a BIA decision ordering removal is reviewable in the US Court of Appeals that serves the territory in which the hearing before the immigration judge takes place. If unsuccessful before the Court of Appeals, the applicant may file a petition for certiorari with the US Supreme Court.	Yes, where there is a perceived error of law in the decision of RRT, it is possible to appeal the decision to the Federal Court or the Federal Magistrates Court for judicial review of the decision.	Yes, the applicant may be able to challenge a decision made by the First-tier Tribunal by applying to the Upper Tribunal of the Tribunals Service on a point of law. A decision of the Upper Tribunal may be further appealed to the Court of Appeal.	No, the judgments of the Federal Administrative Court are final and absolute.	Yes, the applicant may file an action for judicial review with the court.

Mechanisms for handling torture claims in selected jurisdictions

	The United States	Australia	The United Kingdom	Switzerland	Japan
Humanitarian considerations to grant protection to applicants with the risk of torture					
Availability of protection under humanitarian considerations	Not applicable.	The Minister for Immigration and Citizenship may exercise discretionary power to substitute the decision of RRT for one that is more favourable to the applicant.	Human rights claims can be made under ECHR at any stage of the asylum process, and such applications will be considered by UKBA as an asylum claim.	Switzerland may grant temporary protection to persons in need of protection as long as they are exposed to a serious general danger.	MOJ may provide Special Permission to Stay to those who do not meet the refugee criteria but are unable to return to their country of origin for compelling reasons.
Criteria for granting protection	Not applicable.	Australia's international obligation under CAT is one of the relevant factors that the Minister for Immigration and Citizenship would consider in exercising such discretionary power.	It is sufficient for an applicant to show that there are substantial grounds for believing that returning to his home country or other countries will expose the applicant to a real risk. Where the real risk test is met, protection will be granted.	Temporary protection is granted to persons in need of protection as long as their removal is expected to expose them to a serious general danger.	The criteria for granting the Permission are not disclosed. Nevertheless, Article 3 of CAT may be one of the considerations.

Mechanisms for handling torture claims in selected jurisdictions

	The United States	Australia	The United Kingdom	Switzerland	Japan
Legal aid and other support					
Whether publicly-funded free legal assistance is provided	No, applicants may seek legal representation at their own expense.	Yes, free legal assistance is available through the government's Immigration Advice and Application Assistance Scheme ("IAAAS").	Yes, free legal assistance is available to asylum seekers who have either no income or very low income.	Yes, publicly-funded legal aid is available to those applicants who are unable to afford counsel.	No, state-sponsored legal aid is not available to asylum seekers.
Whether free legal assistance is provided by private organizations	Yes, EOIR maintains a list of free legal service providers who meet the qualifications specified in the regulations. This list is updated quarterly and is provided to applicants in immigration proceedings. It is also available on EOIR's website.	Yes, some migration agents may offer <i>pro-bono</i> or free services.	Yes, there are NGOs providing free legal assistance and representation to the most vulnerable asylum seekers in their asylum applications to UKBA and all stages of appeals to the Tribunal, Court of Appeal and beyond.	Yes, there are NGOs in almost all the cantons, providing free legal advice and/or representation for asylum seekers. These legal advisory services are coordinated by the Swiss Refugee Council.	Yes, limited legal assistance is provided by the United Nations High Commissioner for Refugees and private foundations. There are also some lawyers working on a <i>pro bono</i> basis while others for reduced fees or a nominal charge to help asylum seekers.

Mechanisms for handling torture claims in selected jurisdictions

	The United States	Australia	The United Kingdom	Switzerland	Japan
Legal aid and other support (cont'd)					
Qualification and training of legal assistance providers	A recognized organization must only charge nominal fees and assess no excessive membership dues for persons given assistance, and has at its disposal adequate knowledge, information and experience. Such organizations may apply for accreditation of persons of good moral character and with experience and knowledge of immigration and naturalization law and procedure as their representatives.	Registered migration agents are required to have an in-depth knowledge of Australian migration law and procedures, and to meet high professional and ethical standards. For repeat registration, migration agents have to meet the Continuing Professional Development requirements by completing programmes of education and seminars.	Advisers should be accredited by the Office of Immigration Services Commissioner. There is a set of standards covering immigration, asylum and nationality law that advisers have to meet. If they provide legally-aided advice, they also have to meet the standards of the Legal Services Commission. They are also required to undertake Continuous Professional Development which involves a certain number of hours of approved training or other activities each year.	There are no specific requirements for lawyers with regard to training or minimum practical experience.	ICRRA does not specify any requirement on the qualification of legal assistance providers.
Fee scheme of publicly-funded legal assistance	Not applicable.	IAAAS funds registered migration agents by tender. In 2009-2010, the cost was some AUS\$3.04 million (HK\$24.62 million).	The Asylum Graduated Fee is £459 (HK\$5,692) for Legal Help with initial application, £252 (HK\$3,125) for Controlled Legal Representation before appeal hearing, and £630 (HK\$7,812) for Controlled Legal Representation at substantive appeal hearing. Advocacy services like representation at the Home Office interview entail additional payments.	Information not available.	Not applicable.

Mechanisms for handling torture claims in selected jurisdictions

	The United States	Australia	The United Kingdom	Switzerland	Japan
Legal aid and other support (cont'd)					
Whether applicants are allowed to work	Applicants cannot apply for work authorization when applying for asylum. They can apply for work authorization if 150 days have passed since they filed asylum application, and no decision has been made on the application.	Generally, permission to work is available to applicants who are on a bridging visa and actively engaged with DIAC to resolve their immigration status.	The majority of asylum applicants are not permitted to work while their application is being considered. However, if they have waited longer than 12 months for UKBA to make an initial decision on the asylum application, they may request permission to work.	Applicants receive work permits after three to six months have passed since application, depending on the canton and the circumstances.	For those asylum seekers who hold valid visas at the time of application, their status of residence will be changed into "Designated Activities", and after more than six months since application without any decision, the Immigration Bureau will issue a work permit.
Economic and social support	There is no financial or other support provided to asylum seekers by the government.	Asylum Seeker Assistance Scheme provides limited financial assistance, health care and other services to applicants who are identified as vulnerable.	The case owner will assess applicants' circumstances and decide if they meet the requirements to receive support. Applicants may qualify for help with housing and living costs. If housing is provided, the applicant will not be able to choose where to live.	Applicants are assigned to cantons where they may be housed in shelters and receive social benefits or emergency aid if needed.	The government provides financial assistance for applicants in serious need through the Refugee Assistance Headquarters, a quasi-governmental organization.

Mechanisms for handling torture claims in selected jurisdictions

	The United States	Australia	The United Kingdom	Switzerland	Japan
Issues and concerns					
Issues and concerns	<ul style="list-style-type: none"> Absence of judicial scrutiny and lack of monitoring mechanisms put in place to assess if "diplomatic assurances"⁽⁴⁾ were honoured. Quality of decision-making by the Immigration Courts and BIA. Lack of legal aid provided by the government. 	<ul style="list-style-type: none"> Reliance solely on ministerial discretion to provide protection against non-refoulement of asylum seekers who may be eligible for protection under CAT. Mandatory detention of those persons who enter Australia irregularly. 	<ul style="list-style-type: none"> The New Asylum Model not able to allow asylum seekers sufficient time to prepare for their cases, and claims pre-determined before they have been given substantive consideration. Problems of non-suspensive appeal, like asylum seekers with "clearly unfounded" claim returned to a country where they will be persecuted and practical problems for asylum seekers to appeal from abroad. Detention of torture victims. 	<ul style="list-style-type: none"> The procedure to "dismiss the application without entering into the substance of the case" failing to guarantee applicants a proper hearing. National security ban on protection incompatible with the principles of non-refoulement under Article 3 of CAT. Legal aid usually not granted in the first instance procedure. 	<ul style="list-style-type: none"> Lack of an independent body to review refugee recognition applications and to review decisions made by immigration officials. Most asylum seekers prohibited from working while the scope and duration of financial assistance limited.

Note: (4) The US government may use "diplomatic assurances" to ensure that a person would not be tortured if expelled, returned, transferred or extradited to another country.

Appendix II

Relevant papers on the legislative proposal to provide for a statutory framework for determining torture claims

Committee	Date of meeting	Paper
Panel on Security	6.7.2009 (Item III)	<u>Agenda</u> <u>Minutes</u>
Panel on Security	12.4.2011 (Item IV)	<u>Agenda</u> <u>Minutes</u>
Panel on Security	5.7.2011 (Item V)	<u>Agenda</u> <u>Minutes</u> <u>Research report on "Mechanisms for handling torture claims in selected jurisdictions" prepared by the Research Division of the Legislative Council Secretariat</u>

Council Business Division 2
Legislative Council Secretariat
21 October 2011

Appendix II

Relevant papers on the legislative proposal to provide for a statutory framework for determining torture claims

Committee	Date of meeting	Paper
Panel on Security	6.7.2009 (Item III)	<u>Agenda</u> <u>Minutes</u>
Panel on Security	12.4.2011 (Item IV)	<u>Agenda</u> <u>Minutes</u>
Panel on Security	5.7.2011 (Item V)	<u>Agenda</u> <u>Minutes</u> <u>Research report on "Mechanisms for handling torture claims in selected jurisdictions" prepared by the Research Division of the Legislative Council Secretariat</u>

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