

香港特別行政區政府
保安局



The Government of the
Hong Kong Special Administrative Region
Security Bureau

香港添馬添美道 2 號

2 Tim Mei Avenue, Tamar, Hong Kong

本函檔號 Our Ref.: SBCR 7/3221/15

來函檔號 Your Ref.:

26 July 2019

Ms Anita Sit
Clerk to the Finance Committee
Legislative Council Secretariat
Legislative Council Complex
1 Legislative Council Road
Central
Hong Kong

By Email

Dear Ms Sit,

**Legislative Council Finance Committee
Follow-up Item at the Meeting on 10 May 2019**

The Finance Committee discussed and endorsed the recommendation of retaining two supernumerary posts in the Security Bureau and the Immigration Bureau (“ImmD”) (Item no. FCR(2018-19)91) at its meeting on 10 May 2019, and a follow-up item was raised. In consultation with ImmD, the requested information is set out at **Enclosure** for Members’ reference.

Yours sincerely,

[signed]

(Cyrus Cheung)
for Secretary for Security

c.c. Director of Immigration (Attn: Ms Chan Mei-ting)

**Legislative Council Finance Committee
Follow-up Item at the Meeting on 10 May 2019**

Follow-up Item [FCR(2018-19)91]

Regarding claimants who have been remaining in Hong Kong for a long time after making non-refoulement claims with the Immigration Department (“ImmD”) (for example, cases with claimants remaining in Hong Kong for over 10 years), please respectively provide figures on (i) the number of substantiated claimants with persecution risk pending confirmation of the refugee status and resettlement to a third country by UNHCR; and (ii) the number of rejected claimants pending the Torture Claims Appeal Board’s (“TCAB”) determination on their appeals against ImmD’s decision or applying for judicial review of the decision of TCAB.

Reply

The Unified Screening Mechanism (“USM”) commenced operation since 3 March 2014. As at the end of June 2019, the Immigration Department (“ImmD”) received a total of 21 360 non-refoulement claims (excluding 2 501 other torture claims pending screening before the USM commenced), of which 16 369 claims, i.e. close to 80%, had never made a torture claim with ImmD or sought asylum with the United Nations High Commissioner for Refugees (“UNHCR”) in Hong Kong.

ImmD has basically completed the screening of all pending non-refoulement claims. As at the end of June 2019, ImmD rejected a total of 16 716 claims. There were another 6 784 claims withdrawn or where no further action could be taken, and 82 substantiated by ImmD. Together with the 66 claims substantiated by the Torture Claims Appeal Board (“TCAB”) on appeal, there are a total of 148 claims substantiated under the USM. Among them, 17 do not require further action due to claimants’ departure from Hong Kong or other reasons (including 4 who have been arranged for resettlement to a third country by UNHCR, and some other claimants who have departed Hong Kong voluntarily). Among the remaining 131 substantiated claimants, 115 were waiting for arrangement of resettlement by UNHCR and 5 were pending referral to UNHCR (66 cases among these 120 claimants are new claims under the USM). In addition, UNHCR has indicated that no follow-up action would be taken

for the remaining 11 cases. We would continue to urge UNHCR to expedite their arrangement for those pending resettlement to a third country as early as possible.

As regards appeal, as at the end of June 2019, there were some 4 900 pending appeals to be handled by TCAB. Among them, about 3 200 were new claims under the USM. Appeals pending determination by TCAB had been reduced from the peak of over 6 500 to around 4 900 as at the end of June 2019. It is expected that handling of the pending appeals would be completed within 1 to 2 years.

We do not maintain breakdown of the relevant judicial review cases.

Security Bureau
Immigration Department
26 July 2019