LegCo Panel on Security

Status Verification Procedures

for Vietnamese Illegal Immigrants

Purpose

This note briefs Members on the status verification procedures of Vietnamese illegal immigrants (VIIs).

Background

2. At the LegCo Security Panel Meeting held on 2 March 2000, Members were briefed on the Administration's efforts in dealing with the remaining problems relating to Vietnamese refugees (VRs) and migrants (VMs), including details of the Widened Local Resettlement Scheme.

3. In response to a Member's question on the time required to repatriate a VII, the Administration replied the process involved verification of the status of the VIIs and undertook to provide an information note on such status verification procedures.

Status Verification Procedures

4. Clearance from the Vietnamese Government is required for the repatriation of VIIs. Clearance is not granted until the identity of the VIIs has been verified. In the past, the clearance time ranged from 4 to 12 months because it took a long time to verify the status of VIIs through exchange of correspondence between Hong Kong and Vietnam.

5. To speed up the process of repatriation, the Government of the Hong Kong Special Administrative Region (HKSARG) reached a mutual agreement with the Government of the Socialist Republic of Vietnam in

late 1997 to introduce a new status verification mechanism. Under the new mechanism[1], the HKSARG would periodically compile name lists and individual case files with relevant bio-data of VIIs and send them over to the Vietnamese Government for verification of identity. Vietnamese Interview Teams (VITs) are then invited to Hong Kong at normally 3-month intervals to interview the VIIs in accordance with the name lists sent to Vietnam. Clearance for return to Vietnam is granted on-the-spot after the interview.

6.   The interview arrangement applies to new-comers. For those VIIs who are double or multiple backers who have been to Hong Kong illegally before and cleared for return by a VIT, the Vietnamese Government will grant clearance to them by vetting the relevant documents submitted by the HKSARG without going through the interviewing process again. This has further reduced the time required for the return of such double or multiple backers.

7.   VIIs who have been granted clearance for return are repatriated to Vietnam by either chartered flight under the Orderly Repatriation Programme (ORP) or commercial flight between Hong Kong and Vietnam. They are under escort[2] throughout the process. The maximum capacity of each chartered flight is 165 returnees. Usually, a chartered flight is arranged two weeks after the departure of a VIT. When the number of available returnees is small, daily commercial flight carrying passengers between Hong Kong and Vietnam is used to repatriate VIIs in smaller groups[3].

8.   The interview team arrangement has proved to be a success in speeding up the return of VIIs to Vietnam. Since its inception, we have

---

[1]   The mechanism applies to (a) all illegal arrivals from Vietnam since the abolition of the "Port of First Asylum" policy on 9 January 1998, i.e. VIIs, and (b) illegal entrants who came before that date and not screened as refugees, i.e. Vietnamese migrants.

[2]   Returnees are escorted by the Police and the Immigration Department respectively under the ORP and the commercial flight repatriation exercises.

[3]   For security reason, the airline concerned only allows a maximum of 10 returnees among passengers at a time.

been able to complete the whole repatriation process for the majority of cases within four months (relevant statistics at Annex A).   The interview team arrangement has also provided an avenue for direct discussion and exchange of information between the Hong Kong and Vietnam on cases where the real identity of VII is in doubt.

Latest Situation

9.   Since the closure of the Pillar Point Vietnamese Refugee Centre, the last Vietnamese centre in Hong Kong, in June 2000, there has been a significant drop in the number of illegal arrivals from Vietnam to Hong Kong (relevant figures at Annex B).   Although the number of new-comers has decreased, the Vietnamese Government has agreed to continue to send VITs to Hong Kong regularly at 3-month intervals. This is to ensure that status verification checks for VIIs will not be delayed.   Furthermore, in order to ensure that VIIs are repatriated as soon as possible, the Administration has deployed more commercial flights for the purpose.   For instance, 2 such flights have been arranged in June 2001, 3 in July 2001 and 5 further flights are being planned for the months August and September 2001.

Security Bureau
August 2001

Note-vr.doc

**Time Required for the Return of VIIs
under the New Mechanism since 9 January 1998**
(figures as at 31.7.2001)

Total no. of Illegal Arrivals from   : 2,544
Vietnam to Hong Kong since 9.1.1998

Total no. of VIIs repatriated   : 2,335

Time taken for return to Vietnam[4]	No. (%)
Within 2 months	260 (11%)
2 to 3 months	711 (30%)
3 to 4 months	393 (17%)
Over 4 months[5]	971 (42%)
Total:	2,335 (100%)

Note:

---

[4]   For VIIs who have been sentenced to imprisonment in Hong Kong/detained for the purpose of giving evidence in Court, the imprisonment/detention period is included in the calculation of the time taken for their return to Vietnam.

[5]   The majority of these VIIs are criminal offenders whose prison sentence normally ranged from 8-15 months.

Number of Illegal Arrivals from Vietnam
(as at 31.7.2001)

	1998	1999	2000	2001
January	38	41	41	18
February	32	21	31	16
March	37	37	69	14
April	45	79	78	13
May	32	95	92	4
June	25	66	74	26
July	92	82	63	27
August	120	93	31	-
September	116	83	35	-
October	117	173	32	-
November	150	117	20	-
December	91	65	13	-
	----------	---------	----------	---------------
	895	952	579	118
Total:				