

Comment to the HKSAR government on the Immigration Amendment Bill 2020

The HKSAR government proposed Immigration (Amendment) Bill 2020 has caused us great worry. The Amendment is proposed to solve the problem of the backlog in processing non-refoulement claims and improve the processing of people claiming refuge in Hong Kong. The Bill's provisions include greater policing powers, carrying weapons by Detention centre staff and the establishment of a new detention centre in Tai Tam Gap.

It is extraordinary that the government believes more policing and detention will solve the issue of long delays in processing the non-refoulement claims. Not only will the new Bill not solve the problem, but it will actually create more human rights abuses and suffering, as well as being an enormous waste of public money. Non-refoulement claims are humane measures to protect people who are prosecuted in their home country. The problem in Hong Kong is the extraordinarily long time it takes to process each claim through the appeals and judicial processes. We suggest that detention should be the last resort.

Our concern group suggests that the government should put resources into improving the non-refoulement claim process to make it swifter and just, in order to help the persecuted people live their lives of freedom and dignity. In order to improve this process, the asylum applicants need time to prepare their applications, as well as legal and language (interpretation) assistance. Many claimants are from minority language groups, and are not familiar with the legal process in Hong Kong. The more legal and language aid they receive, will improve and speed up their claims process.

We also believe that the conditions of detention need greater care and attention. Many of the detainees have come to the CIC detention centre from various prisons in Hong Kong. They unfailingly report that the prison system is more humane, and able to churn out people capable of taking their place in society. Some legislative oversight of the detention centre should be built into the new bill.

CIC Concern Group