JUSTICE CENTRE | HONG KONG

PROTECTING FORCED MIGRANTS' RIGHTS

LUNCHTIME DISCUSSION

UNIFIED SCREENING MECHANISM

Statistical Trends

AGENDA

1 ABOUT JUSTICE CENTRE

2 CLAIMANT DEMOGRAPHICS

3 SCREENING TRENDS IN USM

4 MISSING INFORMATION

5 FOLLOW-UP DISCUSSION

WHO WE ARE

JUSTICE CENTRE | HONG KONG

PROTECTING FORCED MIGRANTS' RIGHTS

MISSION

We work fearlessly to protect the rights of Hong Kong's most vulnerable forced migrants – refugees, other people seeking protection and survivors of modern slavery.

VISION

We envision an inclusive, just society where people from all countries of origin enjoy dignity, human rights and access to justice in Hong Kong

VALUES

- PEOPLE-CENTRED
- RIGHTS-BASED
- RESPECTFUL
- ACCOUNTABLE
- PROFESSIONAL
- FEARLESS
- COLLABORATIVE

WHAT WE DO

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Protection Claimant Services

- 4 Group Information Sessions
- Regular trainings in refugee law
- Referrals to other service providers
- Cooperation with UNHCR Sub-Office
- Mental Health Screening
- Individualised legal support
- Inter-agency Forum
- 2 university legal clinical programmes
- 11 pro bono law firm partnerships

Advocacy, Development & Outreach

- Research and publications
- Lobbying in the Legislative Council
- Campaigns: Hungry for Change
- School outreach and Justice Clubs
- Hong Kong Human Rights Art Prize
- Media work and communications
- Engagement with UN treaty bodies
- Young Advocates Programme
- Local, regional and international networks

WHY ARE WE MAKING ACCESS TO INFORMATION REQUESTS?

DEMOGRAPHICS

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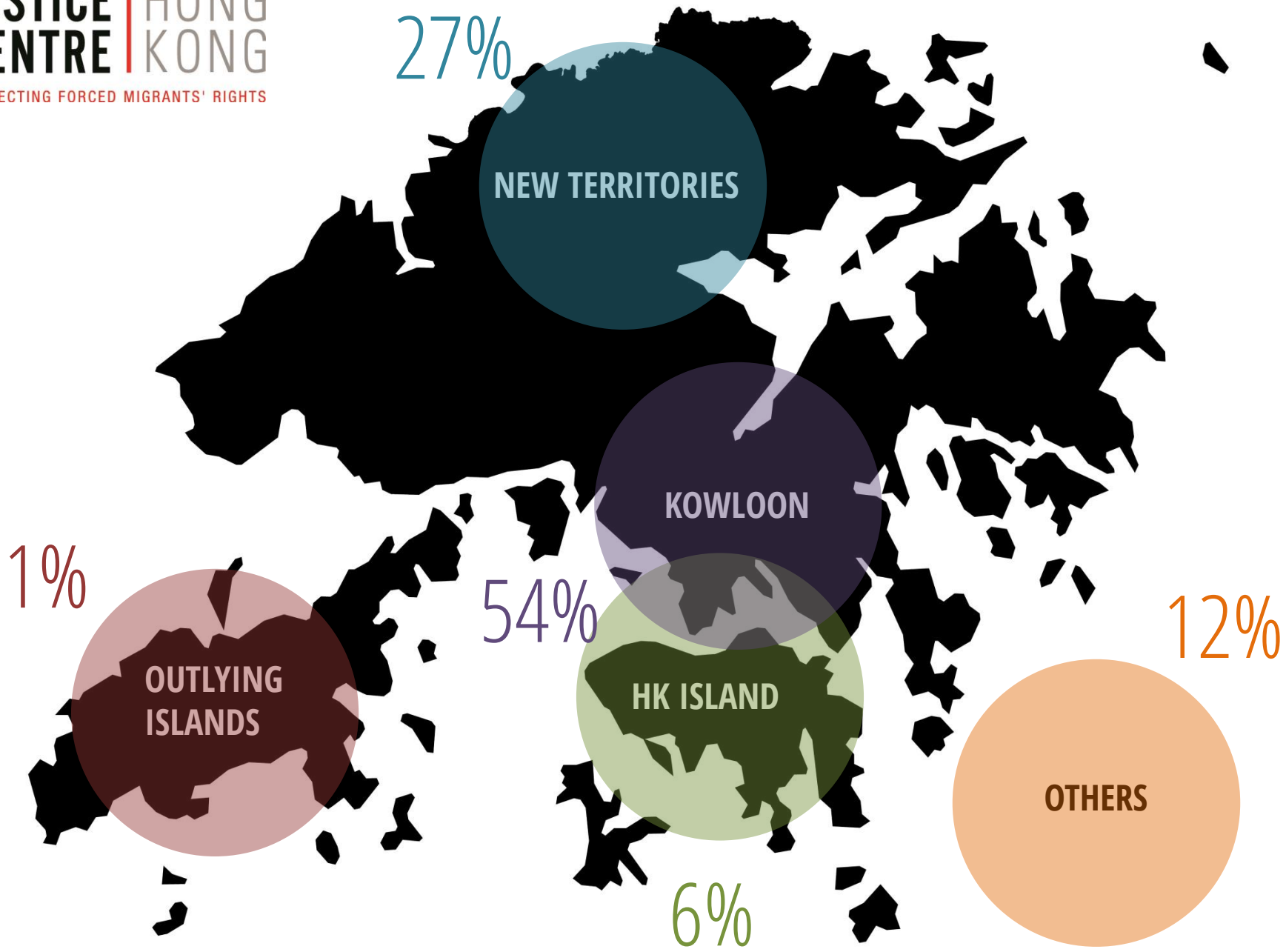

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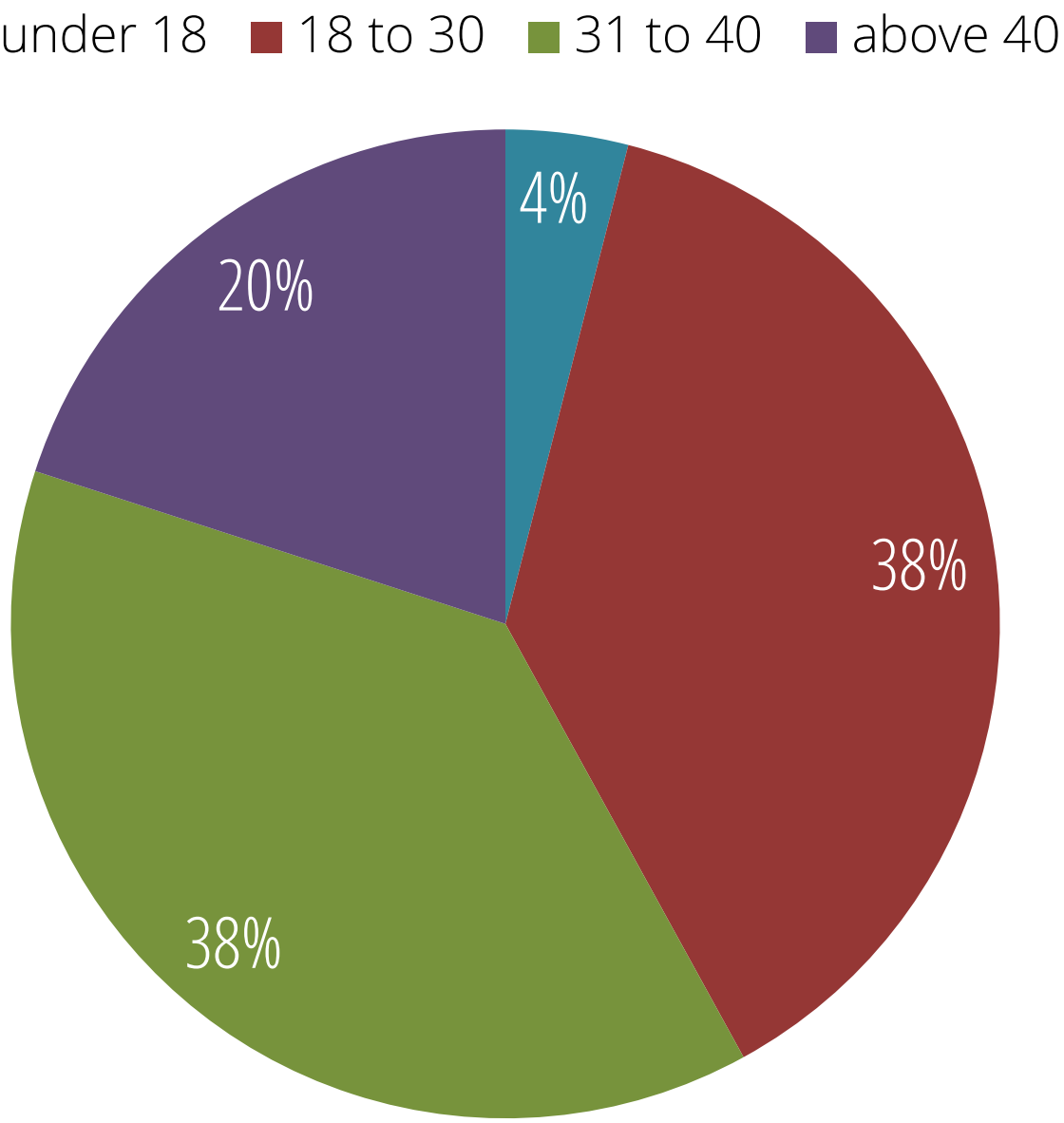
AGE OF PROTECTION CLAIMANTS

21%
female

79%
male



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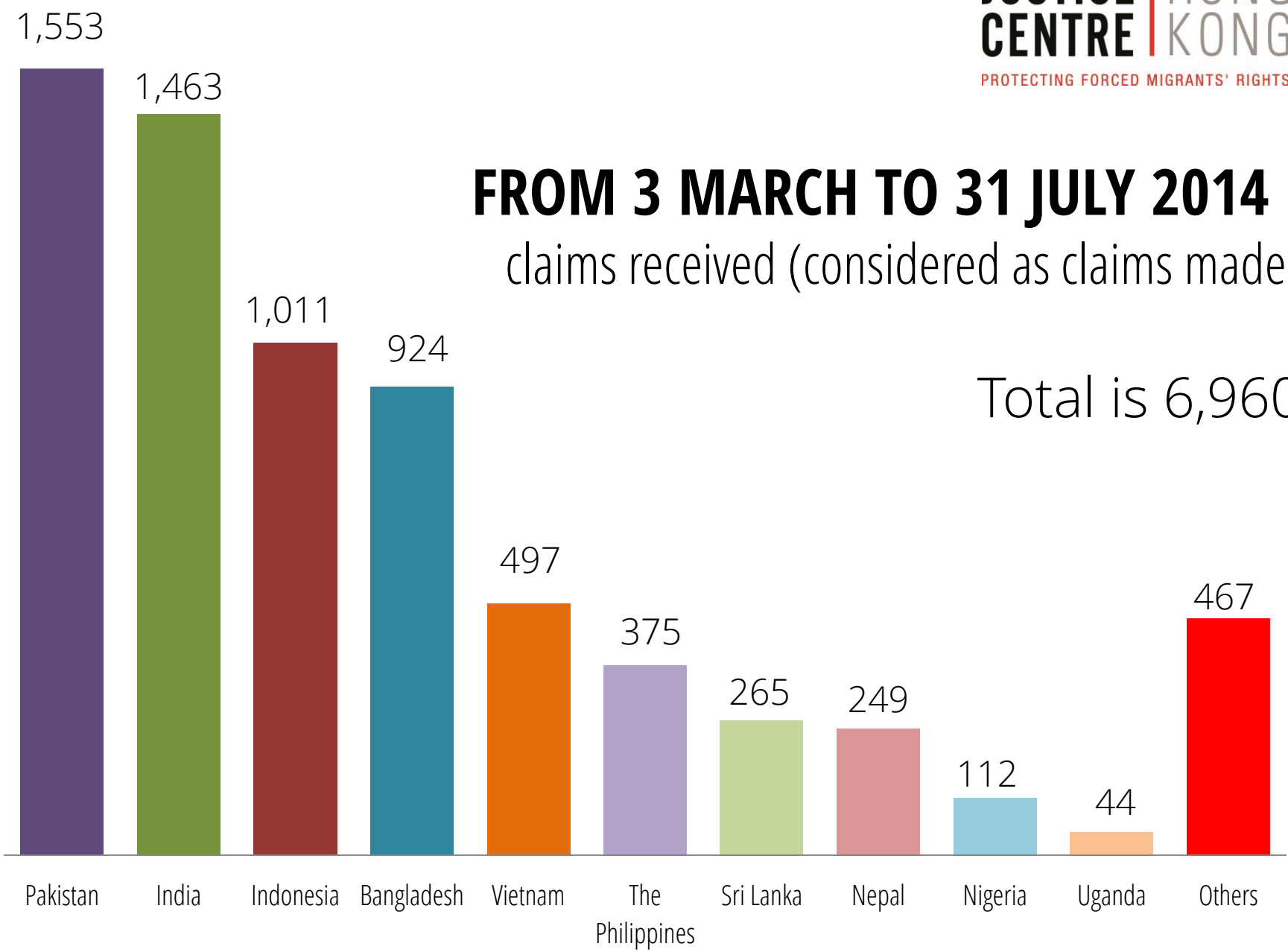
FROM 3 MARCH TO 31 JULY 2014

claims received (considered as claims made)

Total is 6,960



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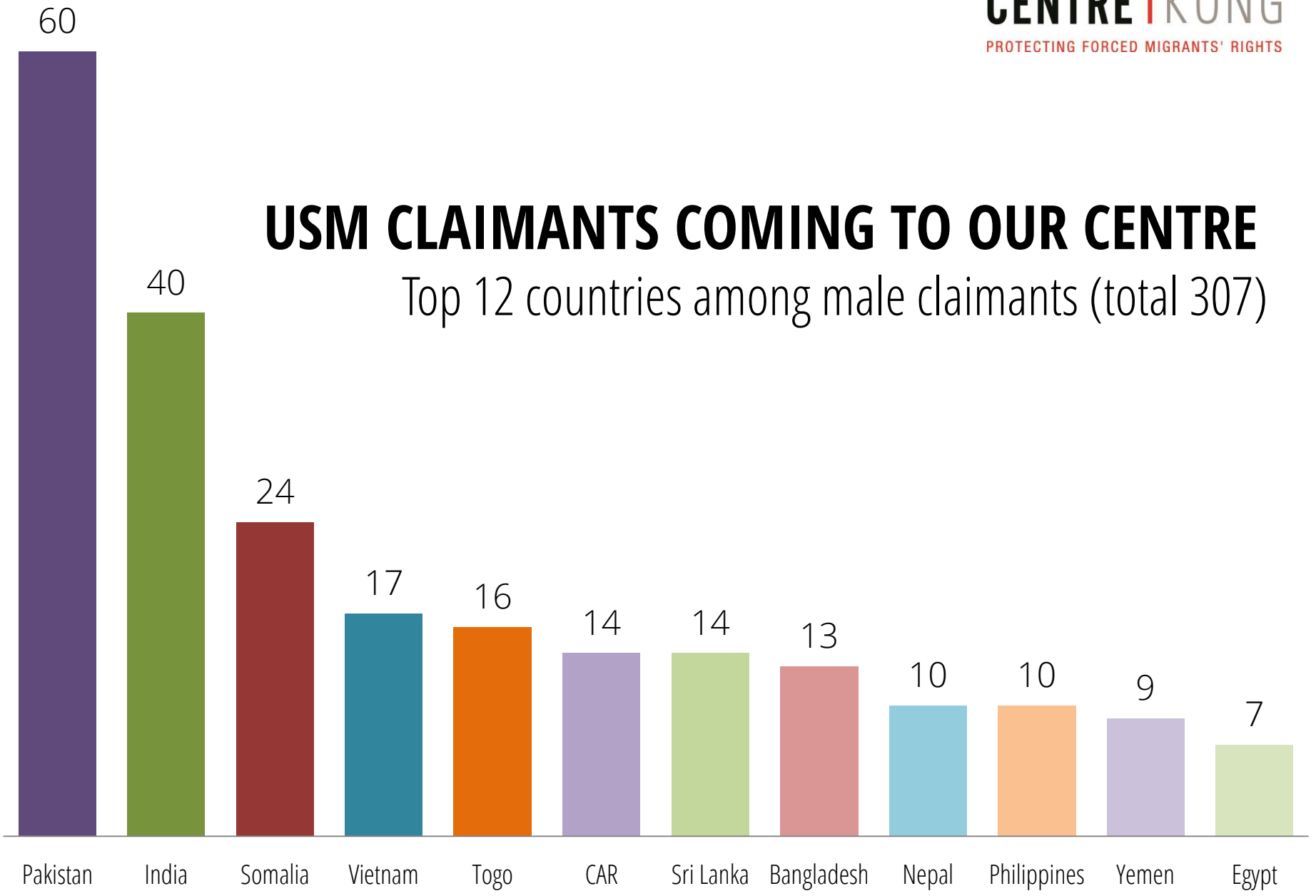
USM CLAIMANTS COMING TO OUR CENTRE

Top 12 countries among male claimants (total 307)



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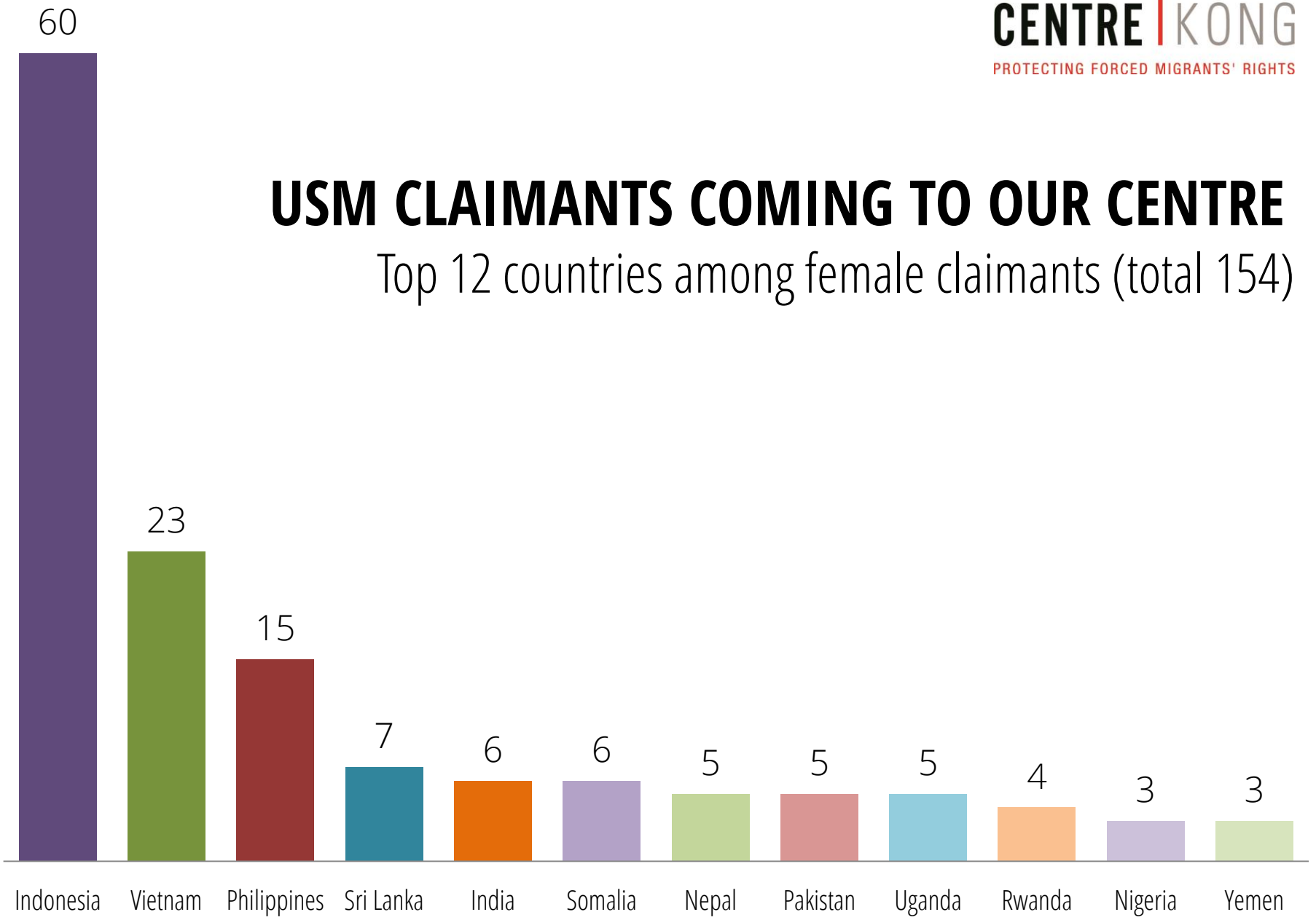
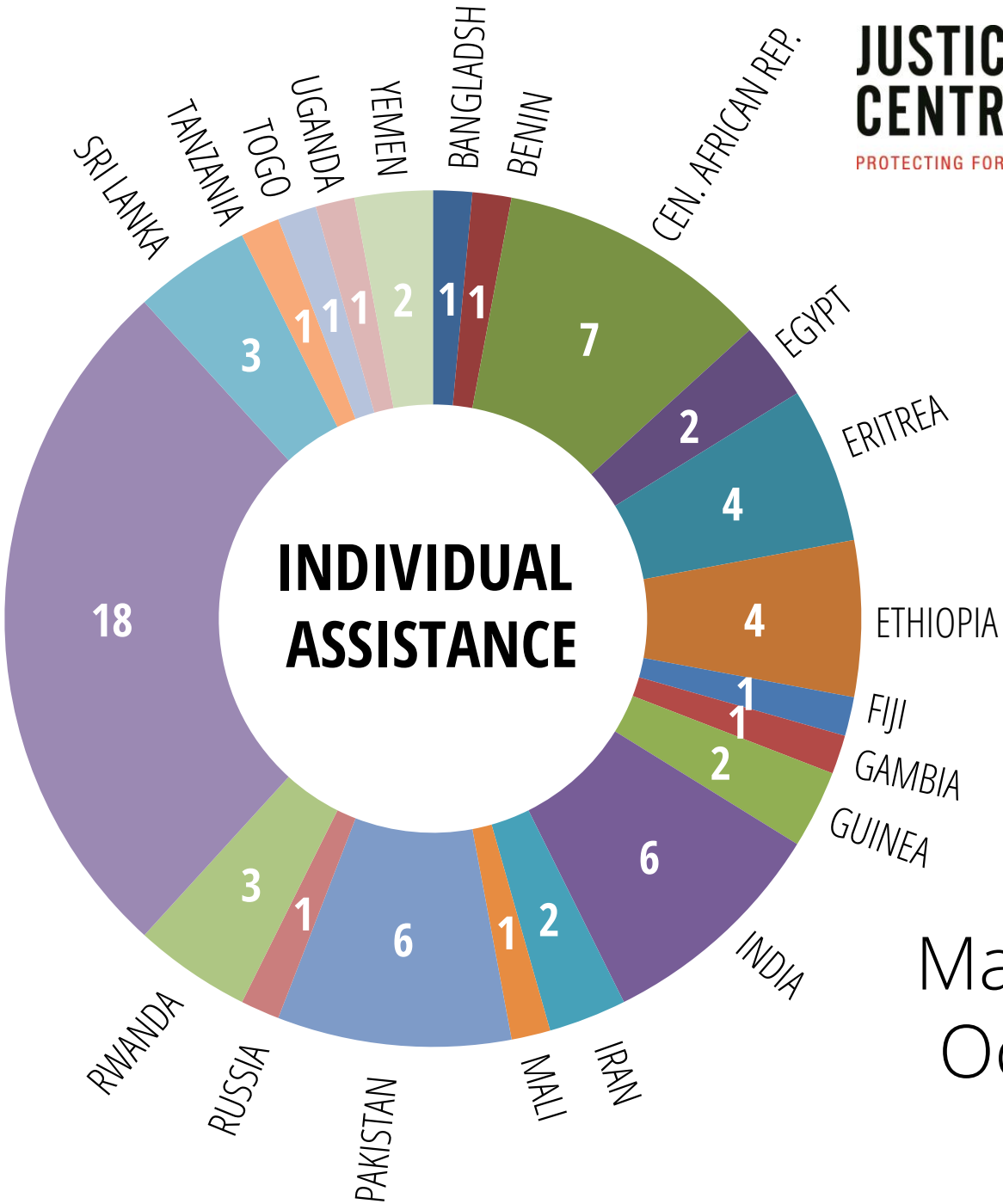
USM CLAIMANTS COMING TO OUR CENTRE

Top 12 countries among female claimants (total 154)



20+
countries

68
people



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from March to October 2014

SCREENING TRENDS

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as of 31 July

8,966

Outstanding USM claims under processing

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3 March to 31 July

6,960

claims received
(considered made)

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3 March to 31 July

862

Commenced assessment process

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3 March to 31 July

301

Withdrawn

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3 March to 31 July

164

determined

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but none substantiated

3 March to 31 July

164

determined

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3 March to 31 July

85

USM appeals / petitions

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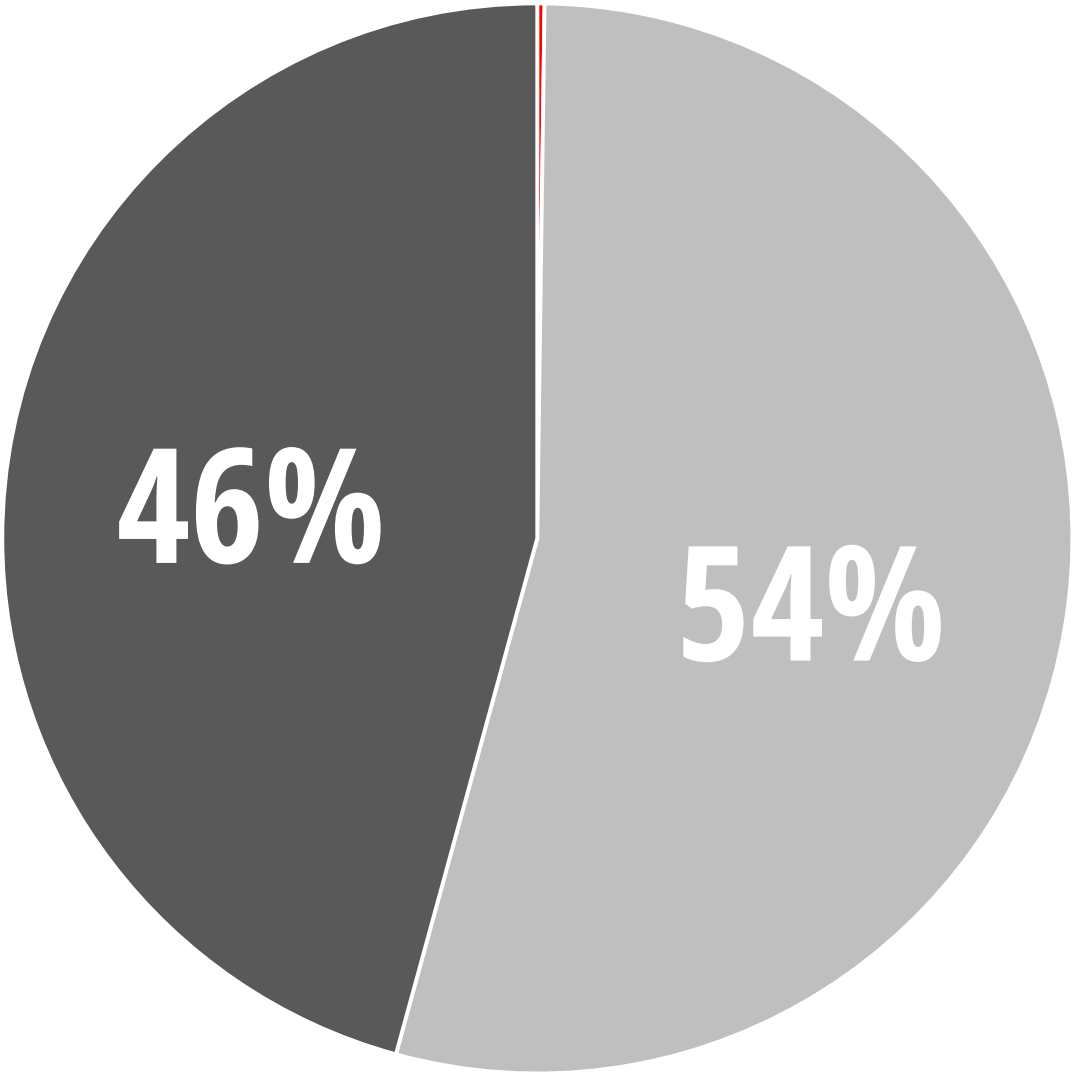
recognition rate

0.2%



TORTURE SCREENING SYSTEM

2010 – 28 FEB 2014
8,764 CLAIMS DETERMINED

- Substantiated Claims
- Refused Claims
- Otherwise Closed Claims

WHO ARE THE 0.2%?

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COUNTRY OF ORIGIN	Total Number of Substantiated Claims under the Enhanced Administrative Screening Mechanism in December 2009 and the Statutory Screening Mechanism	
	By the Immigration Department	By the Statutory Torture Claims Appeal Board after Appeal
Jordan	8	0
Sri Lanka	8	3
Egypt	1	0
Guinea	1	0
Rwanda	1	0
Total	19	3

DETERMINATION RATE

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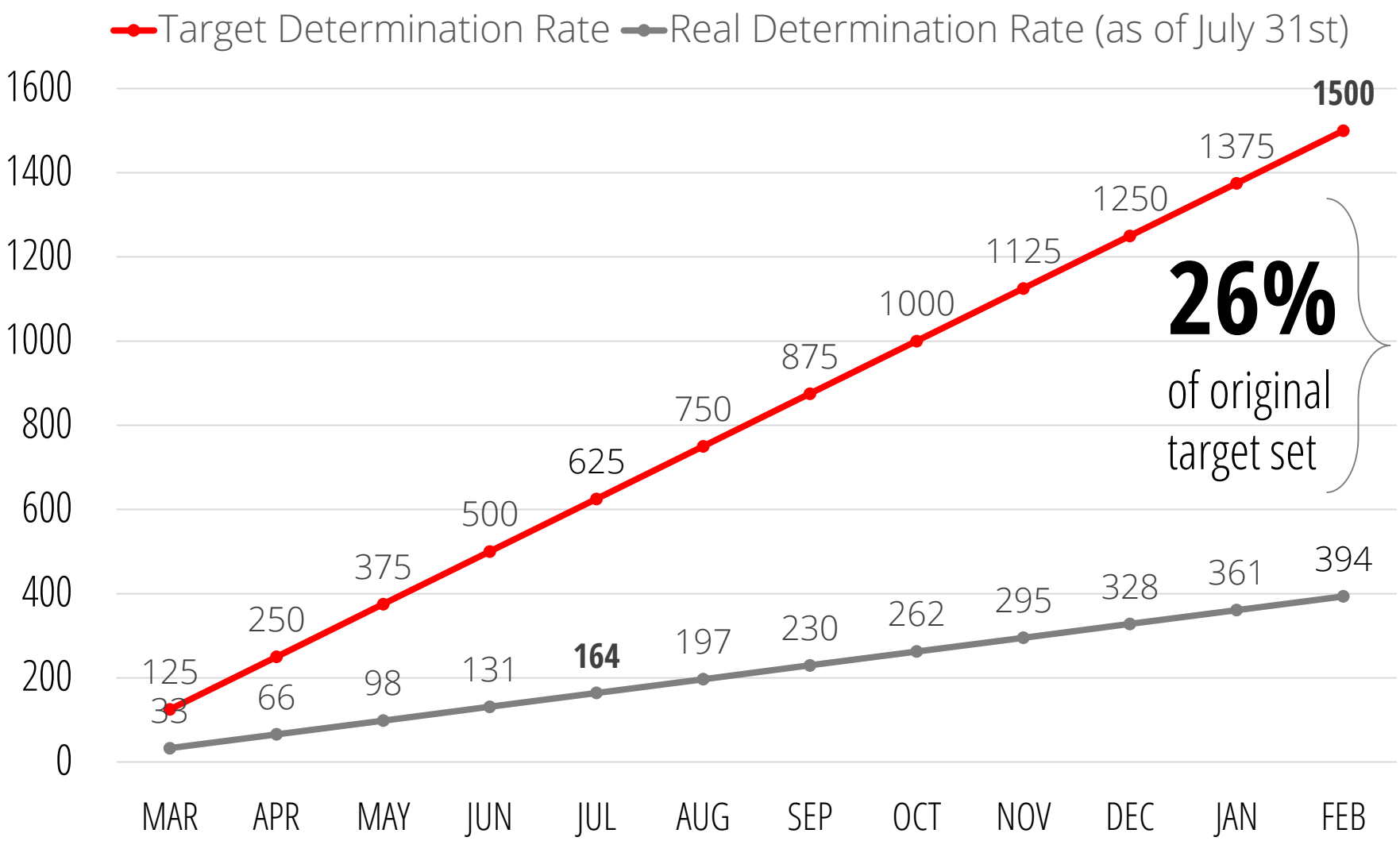

DETERMINATION RATE

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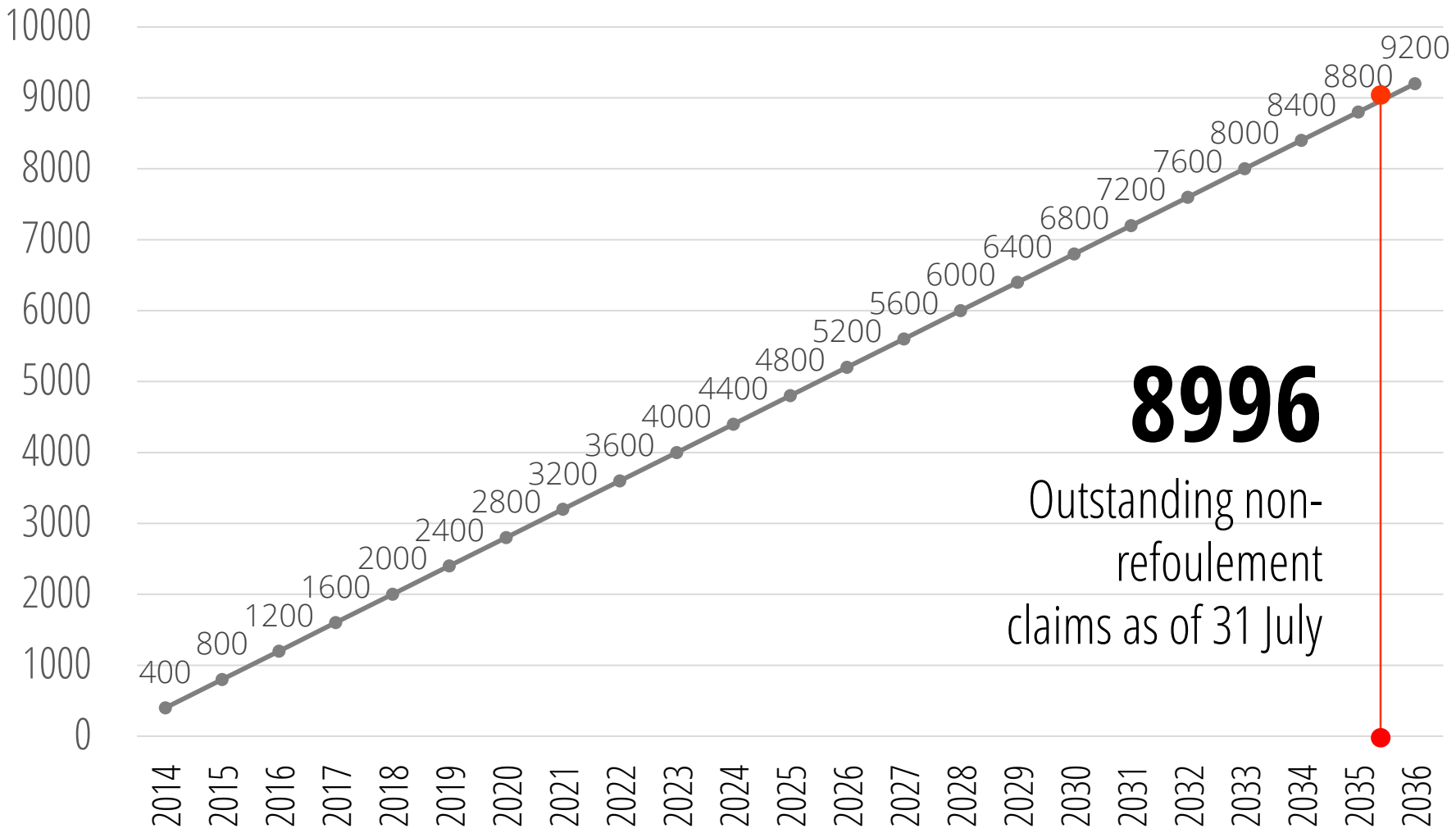

Claims Received (6960)			Claims Determined (164)		
1	Pakistan	22%	1	India	32%
2	India	21%	2	Pakistan	28%
3	Indonesia	15%	3	Bangladesh	17%
4	Bangladesh	13%	4	Nepal	12%
5	Vietnam	7%	5	Sri Lanka	4%
6	Others	7%	6	The Philippines	2%
7	The Philippines	5%	7	Others	2%
8	Sri Lanka	4%	8	Nigeria	2%
9	Nepal	4%	9	Vietnam	1%
10	Nigeria	2%	10	Indonesia	0%
11	Uganda	1%	11	Uganda	0%

Compare to our top countries for individualised assistance

Somalia
CAR
India
Pakistan
Eritrea
Ethiopia
Rwanda
Sri Lanka
Iran
Egypt
Yemen
Guinea
Tanzania
Togo
Uganda
Bangladesh
Benin
Fiji
Gambia
Mali
Russia

3/4

Of these countries fall into the "others" category

OTHER INFO

WHEN CLAIMS FILED

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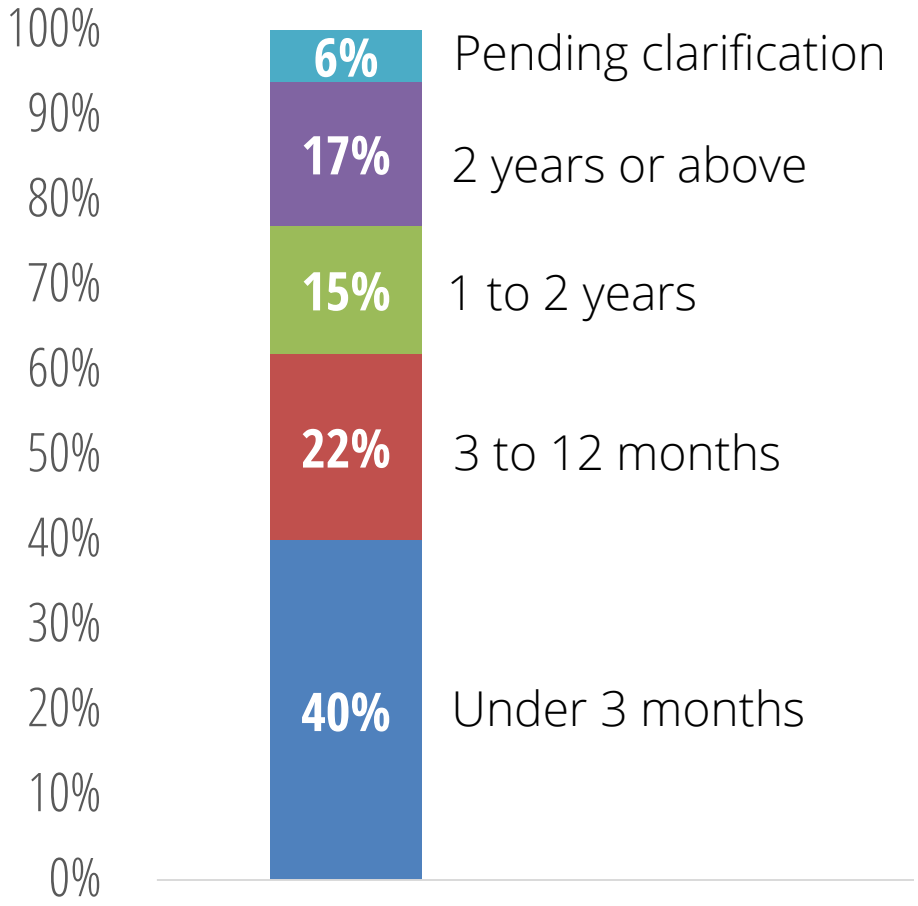
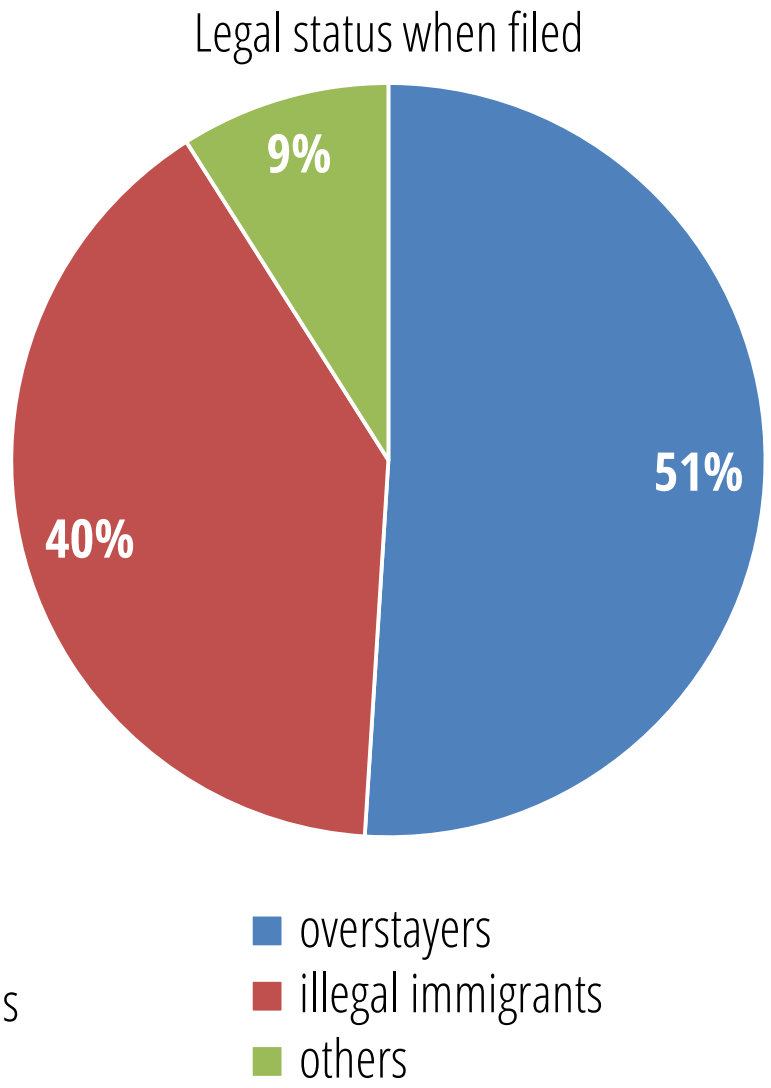


time lag between entering Hong Kong and making a claim

'Average time lag is 14 months' BUT two-thirds file within one year



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31 number of applications for permission to work

×1 number of applications not granted permission

✓7 number of applications granted permission

23 remaining applications?

SUBSTANTIATED TORTURE CLAIMANT **2** BURUNDI

RECOGNIZED REFUGEE **5** SRI LANKA

3-6 MONTH DURATION

WHAT'S MISSING

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Full list of all nationalities and more disaggregated statistics

Exact information on when people file a claim (arrival, overstay, arrest, etc.) by country

Average and medium length of detention of claimants

Duration in Hong Kong at the time permission to work is granted

Average time period from arrival to making a claim (in intervals)

Whether the government plans to publish regularly updated statistics

NEXT REQUEST

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Information on interpretation services

Training offered to DLS and immigration officers, staffing and financial resourcing

Written policies for deciding to grant or reject permission to work

How many persons filed letters to have their claim fast-tracked. Prioritisation of claims?

Vulnerability criteria, such as how many people were screened with “special needs”?

Long-term solutions (if there are successful USM claims)

How long have people had open claims before they withdraw, on average?

Information on the humanitarian assistance package

What else do you think should we include?
What trends are you seeing in the USM?
What else concerns you?

We are amazed to have 548 signatures in support.
But our target is to get 1,000 before November.
Be one of the 454 people to help us reach our goal.

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Thank You