

**By email and posted on website**

**Security Bureau**

9/F, East Wing, Central Government Offices  
2 Tim Mei Avenue  
Tamar  
Hong Kong

**Attention: Hon. Secretary for Security Lai Tung Kwok, SBS, ISSM, JP,**

4 July 2015

Honorable Sir,

**Ref. Questions for Legco Security Panel on 7 July 2015**

Vision First is the only refugee rights watchdog in Hong Kong.

We draw your attention again to the refugee slums that continue to sheltering hundreds of destitute men, women and children who are powerless to relocate to basic, safe, legal housing with the current **unrealistic** rent assistance of HK\$ 1,500 a month per person.

[The notorious refugee slums of Hong Kong are rife with paradox](#) since, for years, ISS-HK arranged rental payments to purported landlords for unhygienic and dangerous huts in abandoned chicken and pig farms that refugees occupied presumably with the approval of and monitoring by the Social Welfare Department (SWD), but curiously not the Lands Department.

Vision First notes that in 2015 several slums were hastily closed down after the Lands Department posted warning notices and ISS-HK stopped rental payments for refugees from the public purse. The recent change in the housing policy raises concerns about the suitability and legality of 'the slum solution' which previously had thrived unsupervised between 2006 and 2015.

In view of the upcoming Legislative Council's Panel on Security meeting on 7 July 2015, Vision First wishes to bring to your attention the following questions of great public interest:

1. Some lawyers confirm that most of their clients do not receive sufficient funds, or financial assistance in kind, or food coupons to meet their basic needs, as rents have increased and

inflation has outstripped the amounts provided by SWD. This leaves refugees with no choice but to beg and frequently resort to working illegally. Is it not a fact that the increase in rents has outstripped the rental assistance provided to claimants?

2. Do you agree that thousands of asylum seekers lived for years, and hundreds continue to live, in abandoned chicken and pig farms sanctioned by the government as these were/are the only locations affordable based on government rent assistance?
3. Do you agree that such pig and chicken farms were/are not zoned for residential living? Is the government investigating why this happened and who is responsible for distributing public money to pay for illegal structures?
4. Will anyone be prosecuted for allowing [dozens of refugee slums](#) to develop and operate on funds paid from the public purse between 2006 and 2015?

Further to the above, Vision First raises the following questions concerning the general status of Hong Kong non-refoulement policy:

5. [The Security Bureau recently reported that “Amongst the 1873 non-refoulement claims determined by ImmD, 8 are substantiated”](#). Is the Security Bureau satisfied with such screening results and the ratio between substantiated and rejected USM claims which sets Hong Kong’s acceptance rate of persecuted foreigners at less than 0.5%?
6. How many successful claimants are children/dependent of the primary claimant? Were the 8 successful claimants substantiated on grounds of Torture, CIDTP or Persecution risk? If accepted for Persecution, were they referred to UNHCR for resettlement to a third country?
7. When will the USM be amended for the assessment of Bill of Right Art. 2 “Right to Life” claims?
8. Why are USM claimants not allowed to work in Hong Kong despite living in destitution?
9. What evidence can the Security Bureau provide that allowing asylum seekers to work would lead to a massive influx of new arrivals into Hong Kong?
10. Would Legco consider changing the law (Immigration Ordinance, Sec. 38AA and Sec. 41) to allow **substantiated** non-refoulement protection claimants the right to work? [This question is posed set against the background of a close to zero acceptance rate. Furthermore, we cannot objectively see how such a legislative change could lead to the opening of the ‘floodgates’]
11. Some refugee advocates and local NGOs claim that the level of welfare assistance given to USM claimants is too low for individuals to subsist, making it necessary for them to work illegally in the city. What is the Security Bureau’s response to this claim?
12. The Director of Immigration may exercise the discretionary power to allow successful claimants to work. In this case, how many applications for work permits have been applied for by successful claimants? How many have been accepted and/or refused? What type of jobs have been applied for?

As a final note, we are most grateful for the Security Bureau's intervention to resolve the questionable practices that, for years, plagued the in-kind food distribution to refugees. The introduction of food coupons greatly improved the situation, except for certain supply issues that we trust will be promptly resolved by the SWD.

Vision First respectfully requests that the Security Bureau urgently reformulate its approach towards the refugee population, and ensure that adequate protection and assistance is offered to persecuted foreigners who entrust their lives in the hands of Hong Kong Government.

Sincerely yours,

*Cosmo Beatson*

Cosmo Beatson  
Executive Director

cc. Social Welfare Department  
Lands Department  
Legislative Council Secretariat  
Selected lawmakers  
Selected media