

Vision First gives effect to its mandate of safeguarding refugee rights by monitoring government performance and providing empirically based data that should promote public debate.

Housing is an area in which Vision First steadily works to improve the wellbeing of the refugee community. Our recognized activism in the field attracts professionals desirous of contributing their skills and ideas to advance the rights of refugees inexcusably punished for seeking asylum in Hong Kong.

With the current refugee housing in a significant crisis – bordering on the ridiculous given Hong Kong’s ample resources – architect for aid **Yuri Akiyama-Carrel** presents a constructive solution the government is advised to consider.

Vision First is pleased to submit this proposal as a practical alternative to [dire homelessness](#), [costly guesthouses](#), [dangerous refugee slums](#) and [the forced cohabitation of many refugees in small rooms](#). This project is pitched to encourage dialogue and brainstorming beyond the tired logic of ‘*humanitarian assistance to prevent destitution*’ which arguably responsible for more suffering than solutions.

It’s worth repeating that asylum claims take years to process and the current rent assistance provided by the government is 1500 HK\$ a person – an amount insufficient even to rent subdivided rooms which in March 2015 cost 3000 HK\$ in Kowloon and 2000 HK\$ in the New Territories.

## **Refugee-led Settlements Project**

**by architect for aid Yuri Akiyama-Carrel**

Slum areas in several cities in Asia have been historically cleared by resorting to forced eviction, provision of public housing or provision of a relocation site. Most important was in the late 1970s a program intended to reduce slum incidence by providing valid alternatives in the provision of housing through community participation and self-help construction.

Resorting to this knowledge, refugees in Hong Kong could be resettled in alternative locations while using their labour power to contribute to resolving the current housing crisis. Unauthorized building works (“UBW”) are mostly located on agricultural land in New Territories. The Lands Department, the Buildings Department and the Planning Department are responsible for handling UBWs.

## **Legislation**

According to law, the privately held “Old Schedule” lots in New Territories contained within the Block Government Leases and described as agricultural land are not suitable for human habitation.

If the TEMPORARY USE does not involve ANY BUILDING WORK, then, subject to compliance with the Town Planning Ordinance (TPO) (Cap.131), the lessee may use the land for purposes such as the open storage of goods, agricultural sheds or gardening structures, etc.

However, the Block Government Lease does require that the lessee obtain the approval of the Government before any structures are erected or alterations made on the land subject to lease.

To accommodate some acceptable TEMPORARY USES that would involve the ERECTION OF

STRUCTURES. It is the current land policy that a Short Term Waiver (STW) may be issued, subject to terms and conditions to be imposed by Government including the payment of a fee, to waive the Government's right of re-entry for a limited period during which the lessee may use the TEMPORARY STRUCTURES on the land for purposes in accordance with the conditions imposed in the STW.

However the issue of a STW should not prejudice in any way permanent development or long-term use. Nor would it prevent enforcement action from being taken by the Buildings Department against any structures that have been erected without prior approval, should such action be considered necessary.

The Lands department has the power to demolish UBWs so that land may be used for agricultural or gardening purposes under the Lands Provisions Ordinance (Cap28), and thereafter re-enter the land and cancel the lease under the Government Rights Ordinance (Cap 126).

When there is a breach of lease conditions by the registered owner, the lands department will play the role of lease enforcement. The Lands Department will take lease enforcement action against such unauthorized structures as those erected in the slum where the fire broke out on 29<sup>th</sup> January 2015.

## **Programme Detail**

Relocation of refugees from slums would occur in three phases.

### **PHASE 1: EMERGENCY ASSISTANCE.**

While permanent solutions are identified, the government could coordinate to move refugees to guesthouses, dormitories or emergency shelters. This would occur according to; 1) surveying refugees so to proceed with emergency resettlement based on individual preferences; 2) implementation of emergency settlements assistance and relocation, and 3) enforcement of slum clearance.

Considering the present situations, emergency shelters are preferable, which could be either on-site or off-site the land where said slums developed.

### **EMERGENCY SHELTER ON-SITE**

According to the Hong Kong Building Regulations - CAP123F Building (Planning) Regulation 50, temporary buildings shall mean any building for which a permit is issued on a temporary basis and is required only for a short time and constructed of short lived materials.

In existing ordinances, a Short Term Waiver (STW) may be issued to accommodate some acceptable TEMPORARY USES that would involve the ERECTION OF STRUCTURES on agricultural land. This ordinance would ensure that this solution remains effectively temporary.

Indeed further changes in use of land, are mainly regulated by the Town Planning Ordinance (Cap 131), land leases, Buildings Ordinance (Cap 123) and the deeds of mutual covenant, might not be impossible after the

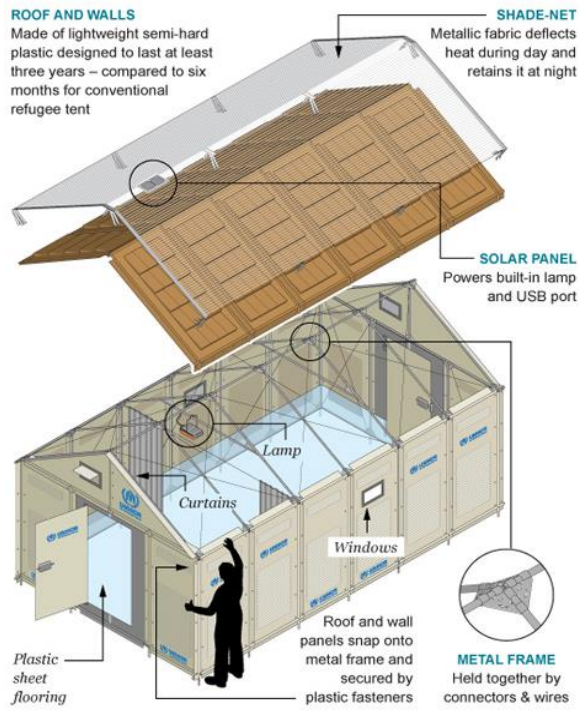
Lands Department has taken lease enforcement action against registered owners.

### EMERGENCY SHELTER OFF-SITE

The government could propose alternative sites for a pilot programme of emergency settlements, for example providing 20 emergency shelters on off-site for residents of a particular slum that is being closed down for fire or safety reason.

In this case, different affordable solutions are on the market:

#### 1. IKEA REFUGEE SHELTER



Size:	188 square feet (17.5 m2)
Weight	100 kg
Houses	5 person
Cost	US\$1,000 per unit
Assembly	4 hours, no tools required
Note	Flexible, adaptable, modular, <b>solar panel</b>

Source) IKEA Foundation

The initial cost of US\$1,000 per IKEA Shelter is not more than 5 months expense at the present system of 1500 HK\$ per person that does not generate longterm assets for the government or community.

The solar panel system would be a plus as it minimize electricity consumption. The IKEA Refugee Shelter is dismantled into components and packed into cardboard boxes. The parts would be easily assembled by the refugee community on off-site without professional assistance.

#### 2. CONTAINER TYPE SHELTER

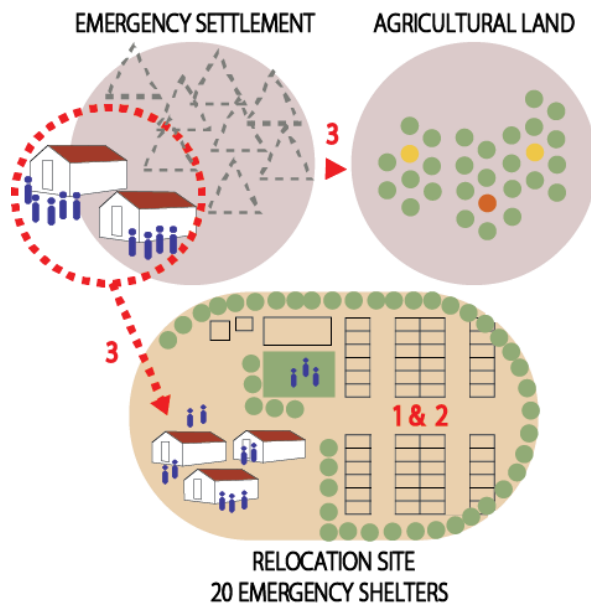


Size	100 square feet
House	4 person per unit
Unit	72 units (Total 288 person)
Cost	US\$3,000,000 including all
Note	110 Seat Dining, Kitchen, Freezer, Dry storage, 30 shower units, 24 tank toilets, 12 toilets for men, 27 sinks, Fuel tanks, Generators, Sewage treatment plant, Portable water tank etc.

**PHASE 2: RELOCATION SITES AND PLANNING OF PERMANENT REFUGEE VILLAGE**

It aims at respecting; 1) the potential impact of community-based organisation, individuals and families, 2) shelter programme thorough refugees’ participation and 3) closure of all refugee slums with housing assistance.

- 1 **SITE SELECTION:** The relocation sites would be selected considering accessibility to social services, while avoiding isolated remote site far from urban area. Size and density should be according to law, and issues of security and protection, land use and land rights, expansion possibility, topography, drainage and soil condition should be considered.
- 2 **SITE PLANNING:** site planning towards permanent refugee village commences. This would include; sanitation services, infrastructure, fire prevention, administrative and communal services among others. An area of open land should be retained for expansion possibility.

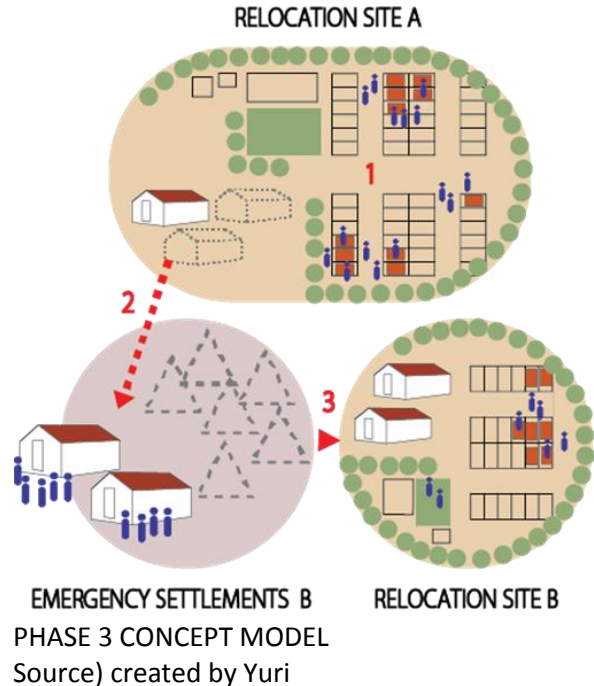


**PHASE 2 CONCEPT MODEL**  
Source) created by Yuri

- 3 **RELOCATION:** Refugees in PHASE 1 would be relocated to emergency shelter at the new sites, while agricultural land is returned to its registered use.

**PHASE 3: PERMANENT ASSISTANCE**

- 1 While emergency shelters protect refugees in relocation sites, planning and construction of **LOW-COST HOUSING** could be commenced with labour provided by the refugees themselves.
- 2 Refugees will move in to their new houses after construction is completed. Emergency shelters would then be repacked into cardboard boxes by refugees, stored, sold or reused at another emergency settlements in or outside Hong Kong.
- 3 Then the loop of function PHASE 1 – 3 will iterate and spread.



**PHASE 3 CONCEPT MODEL**  
Source) created by Yuri

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