



Christian
Action - CA

To "cat_consultation@cmab.gov.hk"
<cat_consultation@cmab.gov.hk>
cc

17/07/2012

bcc

午 11:00

Subject Public Consultation of CAT Outline

Urgent

Return receipt

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Dear Sir/ Madam,

Re: Public Consultation of CAT Outline

Referring to the above consultation, I would like to respond as below.

1. Christian Action (CA) has no negative comments to make about the CAT Outline. We would however like to ask the HKSAR Government (HKSARG) to update the Committee against Torture (CAT) regarding the current situation faced by torture claimants in Hong Kong.
2. According to our database, CA has registered 2,736 torture claimants since 2006. The Convention against Torture has been extended to Hong Kong since 1992. According to the Immigration Department's 2009/2010 annual report, "torture claims are assessed in accordance with the assessment mechanism that complies with the requirement of a high standard of procedural fairness as laid down by the Court of Final Appeal." In spite of this, CA has observed that this long, circuitous process leaves a sizable group of torture claimants stuck in a limbo-like status in Hong Kong for long periods, even up to eight years.
3. While the HKSARG has increased some support services to torture claimants over the past eight years (e.g. basic medical services, education and basic housing provision), there are still gaps in service, such as limited access to mental health services. As they are denied opportunity to work and ineligible for most social services, this significantly contributes to both their material and psychological difficulties. They are highly likely to suffer from Post-Traumatic Stress Disorder and Anxiety Disorders. These disorders are highly prevalent in the torture claimant community and we have observed high incidences of depression and suicidal ideation among them. The situation deserves more attention and appropriate follow-up action.
4. Also, CA is highly concerned about whether torture claims are duly processed. So far only one claim has been recognized as legitimate among many in Hong Kong. The HKSARG should ensure that such claims are processed justly and with full respect for human rights.
5. CA hopes that HKSARG will propose and implement practices that follow or exceed

5. CA hopes that HKSARG will propose and implement practices that follow or exceed international standards.

6. Finally, CA requests that the HKSARG seriously consider the feasibility of extending to the HKSAR the 1951 United Nations Convention relating to the Status of Refugees and its 1967 Protocol.

Regards,
Mrs. Siew Mei CHEUNG-ANG
Executive Director
Christian Action

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