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Lingnan University

Faculty of Social Sciences

Department of Sociology and Social Policy

Academic Year 2013 – 2014

SSC 319 Senior Thesis

Supervisor: Prof. Roman DAVID

Research Topic

How does the Hong Kong current refugee policy affect the
life of protection claimants?

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Acknowledgement

We express sincere appreciation to Prof. Roman David who have rendered invaluable assistance and guidance to our research project. This thesis would not have been possible with his supervise.

I. Research Topic

How does the Hong Kong current refugee policy affect the life of protection claimants in Hong Kong?

Abstract:

About 6,000 refugees, asylum seekers and torture claimants (collectively “protection claimants”) are struggling to survive in Hong Kong. It is undoubted that they are an underprivileged and marginalized group in Hong Kong. Since Hong Kong is not the signatory of the 1951 Convention Relating to the Status of Refugees, protection claimants do not enjoy legal status or formal rights to welfare services in Hong Kong. Without the right to work, protection claimants must survive on \$1,500 a month for accommodation and bags of food equivalent to \$1,200, or they may risk to work illegally in Hong Kong. This thesis examines how Hong Kong refugee policy affects the life of protection claimants in terms of right to work, food assistance and accommodation allowance. These factors are of paramount importance to the life of protection claimants. Drawing on qualitative participant-observations and in-depth interviews with protection claimants, it demonstrates the primary and secondary consequences that caused by the current refugee policy. Additionally, this thesis discovers how protection claimants react to the policy, revealing that the Hong Kong current refugee policy puts protection claimants into dilemma.

Keywords: *refugee policy, protection claimants, right to work, accommodation allowance, food assistance*

II. Definition

Refugee

Article 1.A.2 of the 1951 United Nations Convention Relating to the Status of Refugees (“the 1951 Convention”), a legal document, provided the basic definition of a “refugee”. According to the 1951 Convention, a “refugee” is: –

“any person who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of his nationality, and is unable to or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return it” (United Nations General Assembly, 1951).

The 1967 Protocol relating to the Status of Refugees (“the 1967 Protocol”) expanded the concept of “refugee”, including persons who had fled war or other violence in their countries (United Nations General Assembly, 1967).

Some groups of protection claimant who do not meet the definition of “refugee” as mentioned above, nonetheless, they are living in “refugee-like situations”. The United Nations High Commissioner for Refugees (UNHCR) categorizes and recognizes people who do not fall under the legal definition of a refugee, but live in a “refugee-like situation” as “persons of concern”. “Persons of Concern” is a general term to describe people whose protection and assistance needs are of interest to UNHCR (United Nations High Commissioner for Refugees, 2014). It includes refugees under the 1951 Convention, returnees, stateless persons, asylum seekers and internally displaced persons (United Nations High Commissioner for Refugees, 2014).

The purpose of this research study, in the discussion below: –

- refugee(s), asylum seeker(s), torture claimant(s), and Cruel, Inhuman or Degrading Treatment or Punishment (CIDTP) claimant(s) will be collectively presented as “Protection claimant(s)”; and
- refugee claim(s), torture claim(s), and CIDTP claim(s) will be collectively presented as the “Claim(s)”

Table 1: Comparison between refugee, asylum seeker, torture claimant, and cruel, inhuman or degrading treatment or punishment claimant

Asylum Seeker	Refugee
<ul style="list-style-type: none"> – Person who says himself/ herself as a refugee, but whose claim has not been definitively evaluated – Applied for a refugee status and is waiting for the determination of his/ her status in a prospective country (United Nations Commissioner for Refugees, 2014) 	<ul style="list-style-type: none"> – Person who says himself/ herself as a refugee, and whose claim has been definitively evaluated – Refugee status has been granted – Refugee has determined his/her claim based on the definition of “refugee” of the 1951 Convention as mentioned above
Torture Claimants	
<ul style="list-style-type: none"> – Person who seek protection in the states for not returning him/ her to another state where there are substantial grounds for believing that he/she would be in danger of being subjected to torture under Article 3(1) of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (“CAT Convention”) (United Nations General Assembly, 1984) 	
Cruel, Inhuman or Degrading Treatment or Punishment Claimant (CIDTP claimant)	
<ul style="list-style-type: none"> – Person who seek protection in the states for not returning him/ her to another state where there is a real risk that person would be in danger of being subject to cruel, inhuman or degrading treatment or punishment under Article 7 of the International Covenant on Civil and Political Rights (“ICCPR”) (United Nations General Assembly, 1966) 	

III. Background and Objectives

According to the United Nations High Commissioner for Refugees (UNHCR) Global Trends report for 2012, the global number of refugees remains high (United Nations High Commissioner for Refugees, 2013). In the past five years, the global annual number of refugees has been consistently higher than 42 million people (Hong Kong Refugee Advice Center Limited, 2012). In Hong Kong, the total number of persons of concern increased from 641 people in 2010 to 953 people in 2012 in light of the statistic of the UNHCR (United Nations High Commissioner for Refugees, 2013). It seems that Hong Kong has a relatively small number of refugees, notwithstanding, many protection claimants do not fall under the lawful definition of a refugee. Currently, there are approximately 1,200 asylum seekers waiting for their United Nations refugee-status results and about 5,000 torture claimants in Hong Kong (Ngo, 2013). Most of them come from countries affected by conflicts, and the top three countries of origin of Hong Kong protection claimants are Sri Lanka, Pakistan and Palestine (Society for Community Organization, 2013).

In the past few years, news related to Hong Kong's refugee issues was frequently reported in various newspapers and magazines. For instance, protection claimants ask for more funding for assistance packages (The Standard, 2013; Luo, 2014; Lee, 2013; Chiu, 2012), claimants are living in a bad living environment (Time Out Hong Kong, 2013; Lee, 2013), and the controversies about the right to work in Hong Kong (Benitez, 2014 and Chan, 2014). In addition, a Refugee Union was established recently (Vision First, 2014), and it is believed that the issues of protection claimants are catching more and more attention in Hong Kong.

Under the Hong Kong Basic Law Article 154, the Hong Kong SAR government controls over immigration matters and the rights to develop its own law and policies (Hong Kong SAR, 1997). The Immigration Department is authorized to control the entry and decide the stay of protection claimants in Hong Kong. Moreover, the Immigration Department is responsible for the

determination of refugee status. For most of the countries, they grant refugee status to protection claimants based on the 1951 Convention Relating to the Status of Refugees. Nonetheless, while China has already ratified and signed the 1951 Convention Relating to the Status of Refugees, Hong Kong is not the signatory of the 1951 Refugee Convention. The 1951 Convention thus has not yet been extended to Hong Kong SAR territory (Chiu, 2012). In fact, the 1951 Refugee Convention determines the rights of refugees. Without the ratification of the 1951 Convention, the rights of protection claimants in Hong Kong may be affected in a certain degree. For example, no matter how long protection claimants stay in Hong Kong, they cannot get a Hong Kong citizenship since Hong Kong is not a host country (Society for Community Organization, 2013). A number of UN human rights treaty bodies, therefore, have consistently criticized the Hong Kong government for its resistance to the extension of the 1951 Refugee Convention and its 1967 Protocol to Hong Kong SAR territory. It is argued that Hong Kong should ratify the 1951 Convention and the 1967 Protocol in a bid to adopt a more human-rights based approach in implementing refugee policy.

The Hong Kong government insisted a “a firm policy not to grant asylum” and “has no plan to extend to Hong Kong the application of the [Refugee Convention]” (Loper, 2010). Protection claimants seek protection, and they are allowed to stay in Hong Kong temporarily under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (“Torture Convention”) and the the International Covenant on Civil and Political Rights (ICCPR).

In Article 3 (1) of the Torture Convention: –

“No State Party shall expel, return ("refouler") or extradite a person to another State where there are substantial grounds for believing that he would be in danger of being subjected to torture.” (United Nations Assembly General, 1984)

In Article 7 of the ICCPR: –

“No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his free consent to medical or scientific experimentation.” (United Nations General Assembly, 1966)

Under these two Conventions, Hong Kong has an obligation in complying the principle of non-refoulement and not to return a person to another state where a person would suffer torture and other cruel, inhuman or degrading treatment or punishment.

Apart from the Conventions, protection claimants have to wait for many years in order to get their refugee status due to an ineffective screening system and a low recognition rate of refugee status. In this stance, the humanitarian assistance offered by the government plays a vital role in protection claimants' life during their waiting. Hong Kong has a dual system in receiving the applications for protection of asylum seekers and refugees. Asylum seekers can apply for a status of refugee through the Refugee Status Determination (RSD) screening mechanism which is administered by the UNHCR (Hong Kong Legislative Council, 2013). Meanwhile, Hong Kong SAR government ran a separate screening mechanism for torture claimants as to comply with its obligations under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Hong Kong Legislative Council, 2013). The Immigration Department set up a screening mechanism in 2004 and enhanced it in 2009 to examine refugees claims, and a statutory framework was adopted in 2012 (Hong Kong SAR, 2012).

However, the effectiveness and transparency of the screening mechanism have always been called into question by the human rights advocates due to its low rate of recognition. In 2013, there were 1,200 asylum seekers waiting for the United Nations refugee-status results and approximately 5,000 torture claimants in Hong Kong. Nonetheless, it is surprised that less than 100 people granted a refugee status in 2013 (Ngo, 2013). Based on the government's figures, the Immigration Department

has “substantiated” only five out of 3,110 claims since the implementation of the enhanced mechanism in 2009 (Hong Kong SAR, 2013). It is only about 0.02% of torture claimants in the past decade can get an official recognition in Hong Kong (Ngo, 2013) which is far lower than the average of the annual international refugee recognition rate (13.8%), and the recognition rates in other liberal democratic states (20-38%)(Yu, 2013). Now that the low recognition rate and ineffective screening system make protection claimants to stay in Hong Kong for a long period, refugee policy is essential to guarantee and sustain the living of protection claimants.

In July 2013, the government announced that they will adopt a unified screening mechanism (USM) in order to comply with two recent judgments. The two judgments handed down by the Court of Final Appeal in the cases of *Udamaka Edward Wilson v Secretary for Security* (Hong Kong High Court, 2010) and *Director of Immigration and d C & Ors v Director of Immigration* (Hong Kong High Court, 2013). The court held that the Hong Kong SAR government has an obligation to screen and offer protection to those who are facing the threats of cruel, inhuman or degrading treatment or punishment in their counties of origin. In addition, the Court ruled that the Director of Immigration cannot solely rely on the UNHCR's determination of refugee status when deciding whether to remove an asylum-seeker, and the government must independently assess claims under the principle of non-refoulement (Hong Kong Legislative Council, 2013). Although the government improved the refugee-status screening mechanism, humanitarian assistance should be the core in Hong Kong refugee policy.

According to a report of Christian Action, 33% of asylum seekers have been seeking protection in Hong Kong less than two years while 29% of asylum seekers have been seeking protection in Hong Kong for more than nine years (Refugee Concern Network, 2013). During their waiting for refugee-status results or resident approval from third countries, protection claimants are not allowed to work in Hong Kong, and they have no income at all. Rather, asylum seekers could get assistance through

the Asylum Seeker and Torture Claimant Programme (ASTCP) which is administered by International Social Services (ISS), contracted by the Social Welfare Department. For 2013 to 2014, HK \$203 million was allocated to the ASTCP (Refugee Concern Network, 2013). Nonetheless, there is no any additional information about how resources will be employed. In the early 2014, the Hong Kong government adjusted the assistance packages, including accommodation allowance, food assistance, utilities, transportation allowance, medical services and education arrangement (Hong Kong Legislative Council, 2014). Although the assistance package offered by the Hong Kong SAR government is aimed merely at “preventing destitution”, many protection claimants are still living in poverty, such as living in caged homes or reconstructed pigeon sheds (Lee, 2013). It shows that Hong Kong refugee policy influences the life of protection claimants in Hong Kong.

This thesis aimed at examining how Hong Kong current refugee policy affects the life of protection claimants, particularly refugees and asylum seekers. This paper consists of four parts. Firstly, in the literature review, we will discuss the definition of a refugee as well as the concepts of refugee policy through international relations approaches and sociological approaches. With these two perspectives, we could probe deeply into the existing theoretical studies of refugees and refugee policy. Secondly, we will describe the current refugee policy in Hong Kong which is usually being overlooked by most Hong Kong citizens. This chapter provides an overview about the current refugee policy in Hong Kong in three aspects: right to work, accommodation allowance and food assistance. Thirdly, we will explore the refugees and asylum seekers experience through qualitative methods, including participant-observations and personal interviews. Since refugees and asylum seekers are the major policy recipients, their experience directly show the impacts of the refugee policy on the life of protection claimants in Hong Kong. With these chapters, last but not least, we will analyze how does the refugee policy influences the life of refugees and asylum seekers based on the collected information.

IV. Methodology

Introduction

This paper adopted a variety of qualitative research methods since it can provide in-depth information with a limited number of cases. Qualitative research methods enable us to uncover more about protection claimants' experience as it provides understanding and description of an individual's experience. Basically, this paper combined primary and secondary sources in order to gain a comprehensive understanding of the issues concerning the protection claimants, particularly asylum seekers and refugees. The objective of the primary research is to obtain first-hand information through participant-observations and face-to-face interviews. The secondary research is to examine documents and statistics from the government and the Hong Kong Legislative Council as well as reports of non-governmental organizations, such as Refugee Concern Network, Christian Actions and Hong Kong Refugee Advice Centre.

4.1 Primary Research

This paper involves a study of how the current refugee policy affects on the life of protection claimants in the scope of the right to work, food assistance and accommodation allowance. Regarding the qualitative research methods, we conducted personal interviews and participant-observations. The qualitative research obtained information and opinions from protection claimants. Through the qualitative methods, we can take a subjective perception towards reality and employ a naturalistic view to understand refugee policy in Hong Kong (Sarantakos, 2005).

There are several advantages of conducting personal interviews. Firstly, personal interviews allow more interactions between the interviewer and the interviewees. It enables interviewer and interviewees to build relationship via dialogues so that the interviewees will be more willing to share their experience and opinions. Secondly, the interviewer has the opportunity to ask follow-up questions based on the interviewees' responses (Valenzuela and Shricastava, 2002). Interviewer,

therefore, can ask for clarification when it is needed. Thirdly, open-ended questions enable an in-depth understanding of protection claimants' issues since protection claimants can express their views based on their experience.

4.1.1 Qualitative Research: Personal Interviews

Conducting personal interviews enabled us to have an in-depth understanding on the refugee issues in Hong Kong. The following groups of protection claimants were selected as our interviewees: –

- (1) refugee(s) under the 1951 Convention
- (2) Torture claimant(s)
- (3) Asylum seekers

Race, nationality, country of origin, gender, age, religion or education level did not take into consideration in selecting interviewees. With the non-discrimination approach, protection claimants were treated equally in the research as they are both the underprivileged groups in Hong Kong. Additionally, the exclusion could widen our target population, enabling us to gather information from protection claimants with diverse backgrounds.

We eventually interviewed 1 torture claimants and 2 asylum seekers. Each interviews provided a comprehensive of the experience of protection claimants. However, since only around 100 refugees(s) under the 1951 Convention (Knowles, 2014), we cannot approach the recognized refugees in limited time.

We approached the protection claimants through the non-governmental organizations, including the Society for Community Organization, Crossroads Foundation, Inner City Ministry, Christian Actions and ISS-HK to participate in our project. These organizations have a good reputation in serving the refugees. Nonetheless, only the Vine Church accept our invitation. The other

organizations have their own considerations, and therefore, they refuse to participate.

We sent an email to the Vine Church and request for interview arrangements. Mr. Richardson Lau, a Pastor of the Vine Church, kindly accepted our invitation. The Vine Church served refugees since 2002, and they spends about \$2,000,000 each year to help support over 250 refugees on a regular basis (The Vine Church, 2013). It runs weekly fellowship groups for protection claimants in their own native languages, providing allowances and weekly hot meal at the Church (The Vine Church, 2013). Having got the approval from Pastor Tony Read, the founding pastor of the Vine Church, we had the permission to conduct interviews at the church. Refugee Pastor John Macpherson introduced our project and asked for participation in the African Fellowship. If protection claimants were interested about my projects, we invited them to talk to us after the meeting of the fellowship.

Additionally, we approached the protection claimants through another non-governmental organization – Vision First. Vision First is an independent organization which advocates the rights of refugees. It provides support for Hong Kong-based refugees, offering assistance irrespective of religion, race, nationality, social groups or political opinion (Vision First, 2014). We sent an email to request for interview arrangements and joining their activities. Mr. Comso Beatson, the executive director, kindly accepted our invitation. We accessed the protection claimants through joining their events, for instance the occupation of ISS Centre (Mong Kok) and the occupation of the headquarter of the Social Welfare Department. We talked to the protection claimants if they were willing to share their views to us toward Hong Kong refugee policy.

Interviewees were informed that it was a voluntary participation, and anonymous quotations would be used if they wish. In addition, a declaration was shown before the interviews took place, stating that the collected information is considered completely confidential and used for academic purpose (See Appendix 11.9).

The general plan (See Appendix 11.8) for the interviews which includes the following matters: –

- (1) Background of a interviewee, including name, country of origin, duration of the stay
- (2) Views on the right to work
- (3) Views on the accommodation allowance provided by ISS-HK
- (4) Views on the food assistance provided by ISS-HK
- (5) Views on the difficulties, if any, about receiving assistance packages in Hong Kong

Although we had a general plan for the personal interviews, we did not set out an order of questions to avoid rigidity and the possibility of misleading. Instead, we allowed flexibility during the conversations. We conducted unstructured and less formal personal interviews through open-ended questions. Interviewees were free to give answers (Thio, 2007) and express their opinions toward Hong Kong current refugee policy.

With the respective interviewee's consent, each interview was transcribed based on notes as to protect both the interests of the interviewer and the interviewees. Besides, albeit various biases inevitably arose in the interviews, the interviewer remained impartial and objective in interpreting the data throughout the entire research project (Valenzuela and Shrivastava, 2002).

4.1.2 Qualitative Research: Participant Observations

Participant observations enable us to understand diverse contexts of refugee issues in Hong Kong through fieldwork. We conducted overt observations because it could avoid the ethics problems since the protection claimants could be aware of the research's role (Macionis and Plummer, 2005). Besides, the groups were being observed in its “natural setting” that enable us to gain a close familiarity with the given groups (Macionis and Plummer, 2005), and their practices through involvements with the protection claimants.

The purposes of participant-observations are: –

- (1) to understand their intentions of organizing the events
- (2) to examine the attitudes of protection claimants to participate in the events
- (3) to explore the concerns of protection claimants about holding the events

We approached the protection claimants through two non-governmental organizations, including Socialist Action and Vision First through sending emails. We were given permissions by Mr. Cosmo Beatson, the executive director of Vision First and Mr. Jaco Lung, the staff of Socialist Action, to participate in their activities and conduct the research there. Additionally, we showed our reasons of presence to the protection claimants before the observation took place. We joined the following activities as to observe the protection claimants: –

- (1) A rally in the Legislative Council
- (2) The occupation of ISS-HK and the occupation of the Social Welfare Department
- (3) Gatherings of the Refugee Union

We completed four participant observations. We took photos in each participant observation, and the actions were transcribed based on notes for up-coming analysis. Despite we would not completely eliminate the “observer effect”, we tried to minimize our presence by hiding or sitting aside in order to maintain a “natural setting” (Macionis and Plummer, 2005) for observation.

4.1.3 Difficulties and Limitations

We faced some difficulties regarding how the interviews were conducted. The main difficulty was to access to the protection claimants. We invited several non-governmental organizations, such as the Society for Community Organization, Crossroads Foundation, Inner City Ministry, Christian Actions and ISS-HK to participate in our project. Nonetheless, the Society for Community Organization, Crossroads Foundation, Inner City Ministry and Christian Actions refused our

invitations with the reason of lacking in manpower to arrange interviews. For ISS-HK, they did not reply our invitation since they were in conflict with the protection claimants. We read the news from the website of the Vision First, saying that ISS offices were occupied by protection claimants (Vision First, 2014). In addition, we took about three to four months to approach the protection claimants via the non-governmental organization. Finally, Mr. Martin Radford, the executive director of the Inner City Ministry, introduced us to the Vine Church, and we started to get in touch with the protection claimants in January. What is more, since the format of the interviews was conversational instead of a question-and-answer session, it was hard to eliminate all biases and obtain purely objective responses. Besides, some interviewees expressed unfamiliarity with certain issues, and they were more willing to talk about those issues which they were interested in or familiar with. Therefore, the interviewees did not share the same volume of information in various issues.

For the limitations, the first limitation was about the time constraint. Most protection claimants were unwilling to expose themselves or share their views as to avoid leaving any demerits that may affect their determination of refugee status. Due to the limited time, we were unable to develop the relationship with the protection claimants and collect sufficient information within one to two months. The second limitation was low responses. As we mentioned before, the protection claimants were unwilling to expose themselves due to personal reasons. Only few protection claimants were interested in participating in the interviews, but they were reluctant to take any audio records. Additionally, since interviewees were not self-disclosure, they may alter their behavior or words if they know they are being studied. With these two limitations, it would hinder the up-coming data analysis.

4.1.4 Ethical Considerations

This paper was conducted fairly and without prejudice. Before we started to conduct the interviews, we read the American Sociological Association Code of Ethics (Neuman, 2011). All interviews and observations were conducted in a professional attitude and held in accordance with high ethical standards. Moreover, all of the interviewees voluntarily participated in the project. We disclosed our identities and the purpose of the survey to our interviewees at the very beginning. During the interviews, we allow interviewees to withdraw or refuse to answer questions since we respect the freedom of our participants of not giving their standpoints.

4.2 Secondary Research

We utilized secondary data to explore the current protection assistance that offered to the protection claimants in Hong Kong. In particular, we collected information from various sources which available in: (1) governments' documents, such as the Legislative Council, the Social Welfare Department and the Immigration Department; (2) reports prepared by the non-governmental organizations, such as Christian Actions, Vision First, Refugee Concern Network and Hong Kong Refugee Advice Center; (3) academic journals; (4) books, magazines and newspaper and other sources of published information. Secondary data made reference in this paper, providing direct insights of diverse interest groups.

V. Literature Review

Introduction

The following section will be divided into two parts. First of all, we will focus on the definition of a “refugee” since refugees are the core in the discussion of refugee policy. In fact, there are many definitions of a “refugee”. States adopted diverse definitions to deal with refugee issues, particularly in the determination of refugee status and the grant of humanitarian assistance. Despite the lack of a universal definition of refugee, the 1951 United Nations Geneva Convention “Relating to the Status of Refugees” provided a fundamental principle to define refugees. Nonetheless, some scholars, such as Adrienne Millbank (2000), Sarah Collinson (1993) and Benjamin Brady (2012) acknowledged the limitations of the definition of refugee in the 1951 Refugee Convention, criticized the narrow and out-of-date nature of definition.

Secondly, we will discuss refugee policy through international relations perspectives and sociological perspectives. It finds that there is a general gap in the literature that linked refugee policy with the above perspectives. The international relations perspectives provided an top-down approach to examine the refugee policy in the international community, saying that refugee policy is an instrument of political powers (Snyder, 2011 and Betts, 2009). In addition, the sociological perspectives provided a bottom-up approach to examine the refugee policy. Sociologists also admitted that policy is a tool to regulate the refugees (Shevel, 2011). Nonetheless, Sociological approaches tend to focus more on refugee experience and how does the policy affects their integration and settlement (Bloch and Liza Schuster, 2005 and Castles, 2004). Both approaches mentioned that refugee policy can be many forms of policy, such as foreign policy (Lam, 2013 and Loescher, 1989), global public policy (Miller, 2012 and Betts and Loescher, 2010) and migration policy (Castles, 2004). With these two perspectives, it could gain diverse perspectives toward refugee policy.

5.1 The Definition of a “Refugee”

5.1.1 Refugees

The definition of a “refugee” changes over time. Before the Peace of Westphalia of 1648 and the early modern state system, the term “refugee” has a broad meaning. It referred to people who seek sanctuary from political or religious persecution or conflict (Betts and Loescher, 2010). In the twentieth century, a legal document, the 1951 Convention “Relating to the Status of Refugees” (“the 1951 Convention”) defined the term “refugee” and stated the refugee rights as well as the legal obligations of states in handling refugees. According to Article 1 of the 1951 Convention, the term “refugee” is defined as: –

“any person who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of his nationality, and is unable to or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return it” (United Nations General Assembly, 1951).

This legal definition of a “refugee” was first spelled out and accepted by the international community at the United Nation conference in 1951. Initially, the 1951 Convention was confined to protect geographical European refugees in the aftermath of World War II. Later on, the definition was expanded through the 1967 Protocol Relating to the Status of Refugees (“the 1967 Protocol”) by removing the geographic and temporal limits (Cacharani, 2013).

The 1951 Convention and the 1967 Protocol are the fundamental instruments in defining the term “refugee”. Nonetheless, various regional bodies expanded the concept of a “refugee” in different regional conventions. The Convention Governing the Specific Aspects of Refugee Problems in Africa (the “OAU Convention”) adopted by the Organization of African Unity in 1969, agreed the

definition of the 1951 Convention and expanded to people who “owing to external aggression, occupation, foreign domination or events seriously disturbing the public order...is compelled to leave...to seek refuge in another place outside his country of origin or nationality” (Organization of African Unity, 1969). Additionally, a group of Latin American States adopted the Cartagena Declaration, added massive human rights violation to the definition of the 1951 Convention (Regional Refugee Instruments & Related, 1984).

In the late twentieth century, the term “refugee” contained in the 1951 Convention has been challenged by an increasing concern on other groups of forced migrants in “refugee-like situations” (Betts and Loescher, 2010). The authority of the United Nations High Commissioner for Refugees (UNCHR) categorized people who do not fall under the legal definition of a refugee, but live in a “refugee-like situation” as “persons of concern” (United Nations High Commissioner for Refugees, 2014). The term “persons of concern” included the refugees under the 1951 Convention, people fleeing human rights violations not subsumed under persecution, survival migrants flee environmental disaster, environmental collapse or state fragility and internal displaced people who like refugees but stayed in their country of origin (Betts and Loescher, 2010). Nonetheless, “persons of concern” excluded economic migrants who flee their countries of origin due to extreme poverty (Russell, 2002).

5.1.2 Criticism on the definition of a “refugee”

The legal definition of a “refugee” has stirred up many controversies. Scholars, such as Adrienne Millbank (2000), Sarah Collinson (1993) and Benjamin Brady (2012) criticized the narrowness of the definition of a “refugee” in the 1951 Convention. They argued that the definition of the 1951 Convention is out-dated and overlooked today's context (Millbank, 2000, Collinson, 1993 and Brady, 2012). Since the 1951 Refugee Convention is a product of the World War II and in the face of Communism, it presented the dominant circumstances of that era and focused on individual

persecution only (O'Neill, 2011). Notwithstanding, refugee issues became more complicated nowadays, individual persecution may not be the only reason for the emergence of refugees. In the light of the statistic of the UNHCR, there are 35.8 million people who are fleeing war, civil conflicts or environmental catastrophe and people who have become stateless (United Nations of Commissioner Refugees, 2012). These groups of people did not fall under the legal definition of the 1951 Convention, and thus, they are in lack of support in the host countries since they are not lawfully recognized by the international community. It is revealed that the narrow definition runs a risk of not fulfilling basic humanitarian obligations by not offering protection and assistance to people in need.

On the other hands, some scholars recognized the importance of preserving the narrow focus of the legal definition (Betts and Loescher, 2010 and Haddad, 2004). Developed states would prefer a narrow definition since it could deter potential “refugees” physically entering a sovereign territory (Haddad, 2004). A wide definition enables more “refugees” fall into the category, implying an increase in the potential burden on the host states (Haddad, 2004). Now that “refugees” compete with the locals for scarce resources, states perceive the influx of “refugees” as a threat. Therefore, the narrow focus of the legal definition is crucial in securing national interests in the political context.

Moreover, Millbank (2000) and Peretz (1995) argued that the wordings in the definition are ambiguous which may affect the determination of refugee status. In fact, a vague definition of a “refugee” allows greater flexibility for manipulation. It enables states to deal with refugee issues for different purposes according to the actors' wishing to define the concept (Peretz, 1995 and Haddad, 2004). For instance, developed states could be more rigid in defining a “refugee” if they are unwilling to receive low skilled refugees from developing states. It could also limit the scope of any definitions by tightening the procedural and substantive requirements for the asylum seekers to

satisfy criteria for refugee status (Martin, 1991). Although “refugee” is defined under the rubric, the granting of refugee status is inevitably influenced by certain interests, purposes or standards. The definition of a “refugee” indeed is shaped by the view from which it is being defined, affecting the determination of refugee status.

5.1.3 Asylum seekers

The term “asylum seeker” refers to people who flee to other countries for seeking to be recognized as refugees (Russell, 2002). An asylum seeker is recognized as a refugee if he or she could sufficiently demonstrate his or her fear of persecution in their hometowns (United Nations of Commissioner Refugees, 2013). If their claims are approved, they will grant a refugee status, and they will receive legal protection as well as financial assistance (United Nations of Commissioner Refugees, 2013). If asylum seekers' claims are not conform to the definition of a “refugee” or insufficiently prove their life is threatened by the persecutions, their applications for refugee status will be rejected (Russell, 2002).

Having threatened by persecution, refugees and asylum seekers seldom concern about the destinations when they are seeking protection. Most of the people leave their countries of origin and seek asylums in neighboring countries. Currently, the top five host countries of refugees are Pakistan, Iran, Germany, Kenya and Syria (United Nations Commissioner for Refugees, 2013). Besides, most refugees in the world are originated from Asian and African nations, for instance Palestine, Afghanistan, Iraq, Somalia and DR Congo where are the top five countries with the highest number of refugees in the world (United Nations Commissioner for Refugees, 2013).

5.2 Refugee Policy in International Relations

5.2.1 Refugee in International Relations

From the two world wars and the proxy conflicts of the Cold War to the “War on Terror” in Afghanistan and Iraq as well as the internal conflicts in the Middle East, many people leaved their own communities in order to seek protection. The 'figure of the refugee' is a constituent of the international system, symbolizing the state system fails to maintain the state-citizens-territory relationship to ensure order and justice (Haddad, 2008). For instance, states with chaotic political system are incapable to maintain state stability, secure citizens' safety or cope with territorial conflicts which may lead to political disorder, social injustice and human rights violation. Consequently, people leave their countries for seeking protection. Refugee problems are undoubtedly an essential human rights issue on the ground that they have been forced to flee their country of origin due to human rights violations and conflicts.

In fact, refugees should be more than a human rights issue. It also lies at the heart of international politics. Fleeing political persecution, refugees traveled into neighboring countries or moved long distances to other states in search of international protection. Refugee movements per se are political and international, involving interests and conflicts between citizens and non-citizens (Betts, 2009). Citizens tend to perceive refugees as their competitors in the world with scarce resources. States therefore tighten its refugee policy and limit the entry of refugees in a bid to secure their national interests and resources. However, existing literature on refugee in International Relations is still lacking. Snyder (2011) suggested that the reason why international relations' scholars have often overlooked this field is because realists are tend to reject all the elements related to humanitarianism since it is not considered as a security goal, especially in realism.

Despite the refugees have drawn little attention in International Relations, the study of refugees indeed correlated with global politics which encompasses the issues related to international

cooperation, globalization, human rights, international organizations, the context of regime, the role of non-state actors, regionalism, North-South relations and global security (Betts, 2009). With the lens of International Relations, it offers a top-down approach to explore the macro-level structures of forced migration. We therefore can understand how states and the international community response to forced migration through a range of refugee policy in order to maintain world order and justice.

5.2.2 Refugee Policy and National Interests

Realism, the paradigm of International Relations, perceives interests and power are of paramount importance in the international system (Snyder, 2011). Self-interested realism may influence states to decide the policy choices. States in response to forced migrants, they will involve decisions on maintaining national interests and security. Nonetheless, Betts (2009) mentioned that forced migration has an essential and inextricable association with conflicts. The existence of forced migrants threatens peace and social security, especially the protracted refugee situations are perceived as potential sources of radicalization and terrorism. Meanwhile, a great proportion of the literature on refugees and International Relations points out that refugees may contribute to insecurity and social instability (Lischer, 2005; Loescher, 1993; Stedman and Tanner, 2003). Now that refugees perceived as potential threats to national security, especially after the 9-11 incident, more and more states have been increasingly reluctant to offer resettlement and protection to refugees, not to mention the grants of local integration to refugees. Therefore, realist approach shaped the disengagement of the state in formulating and implementing refugee policy, discouraging refugees to seek protection outside their countries of origin.

In addition, refugee policy is treated as a tool to maximum national interests and minimize the risks which may threaten the states' security. Refugee policy was expected to focus on human rights, and thus it seems that humanitarian actions are ill-suited in realism which focuses on interests and

power. Indeed, political scientist John Mearshimer (2001) stated that offensive realism recognizes that states also concerned about those non-security goals, provided that humanitarian actions do not conflict with the balance of power. Chaim Kaufmann and Robert Pape (1999) acknowledged that great powers sometimes are willing to pay a high cost on humanitarian actions. Nonetheless, Weiner (1988) doubted about the relationship between states and humanitarian institutions, expressed that governments are not humanitarian institutions. States place the national interest in the first priority in policy decision-making process since national security is of paramount importance. Humanitarian policies based on ethical and moral values are not the main objective of states' policy. Some realists such as Morgenthau (1951) and Reinhold Niebuhr (1932) believed humanitarian actions are masked as the universal goods under state's interests, realism in this case can be a supportive ally of humanitarianism, especially in refugee policy formulation.

5.2.3 Foreign Policy and Refugee Policy

Apart from refugee protection is determined by political factors, refugee policy is increasing relevance to the formulation of foreign policy under the discipline of International Relations. Lam (2013) mentioned that the researchers who studied forced migration have started to comment on the use of refugee policy as a tool of foreign policy in 1980s. From Loescher (1989), he concluded the relations between sending and receiving states could influence the responses of the government in dealing with refugee movements from neighboring or distant countries. Therefore, refugee policy is not a domestic affair but becomes as a foreign matter.

Teitelbaum (1984) also found that proactive foreign policy interventions influence the emergence of immigrants and refugees. Foreign policy instruments, such as formal treaties, conventions, understandings, protocols, and other international agreements, regulated the international migrations (Teitelbaum, 1984). Those instruments can be used in regulating the treatment of refugees which can be another form of refugee policy (Teitelbaum, 1984). On the sending side, outmigration can

promote a positive foreign-policy goal, for instance the reduction of unemployment in the country of origin, generate foreign exchange and deepening the economic and diplomatic relations with other states, especially the oil-rich states. Nonetheless, the receiving countries may suffer the refugee settlement. The mass expulsion from sending countries could serve as a tool to “destabilize or embarrass foreign policy adversaries” (Teitelbaum, 1984). Therefore, most states are unwilling to offer refugee protection since they assert their national interests and sovereignty.

These scholars highlighted foreign policy may be utilized to facilitate or to restrain the refugee movements as the diplomatic pressures from sending countries could influence receiving states to facilitate out-migration as well as to formulate refugee treatment. It shows that foreign policy becomes an unarmed leverage to conquest or protects states' interests in regulating refugees.

Furthermore, the United Nation attempted to link refugee policy with foreign policy generally in the early 1980s. The United Nation emphasized that refugee problems are not simply humanitarian in nature but must be dealt within a political process which considers the underlying causes of flows and address conflict management (Suhrke, Zolberg and Aguayo, 1986). Refugee policy presents complex policy choices in International Relations, involving the interests and concerns of foreign, domestic and humanitarians. Therefore, refugee policy is no longer treated as a domestic issue, but it used for a foreign policy purpose.

5.2.4 Global Refugee Policy

Scholars studied refugee issues by exploring how the combination of policies and policy processes affect the lives of refugees (Bauman and Miller, 2012; Miller, 2012; Betts and Loescher, 2010; Betts, 2009 and Loescher, 2001). In fact, it is believed that policy processes depend on different subjects, such as the policies and the actors that create, influence, or apply them; and/ or the policy recipients and the complexity of refugees' lives (Miller, 2012 and Cacharani, 2013).

Increasingly globalized world has fostered states to address transnational issues through cooperative efforts. Therefore, the international community advanced domestic refugee policy to a global level which is global refugee policy. In fact, global refugee policy is nestled the literature on global public policy. It seeks to understand how international organizations and states can collectively cope with global and transnational problems (Miller, 2012 and Soroos, 1986). Nonetheless, global refugee policy has been modified when it comes to particular regional issues and changing states' interests (Cacharani, 2013). For instance, the creations of the 1969 Organization of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa and the Cartagena Declaration on Refugees (Cacharani, 2013).

These cases revealed that regional blocs built a set of regulations to harmonize the implementation of the 1951 Convention in their regions with particular types of refugee movements in order to secure states' interests. Although global refugee policy concerns all refugees in the world, national interests still underpinned the global refugee policy. Therefore, states seldom consider refugee protection for altruistic reasons in the formation of refugee policy.

Despite there are a few global governance mechanisms focus on refugee issues, various institutions have different implications for refugee protection. Some of them even overlapped with the traditional mandates of the UNHCR and the 1951 Convention. Betts (2009) argued that there is a “refugee regime complex”. It means “different institutions overlap, exist in parallel to one another and are nested within one another in ways that shape states' responses toward refugees”. Diversified institutions may complement or contradict each other, bring a direct and an indirect impact upon refugee protection. In addition, there are three types of cross-institutional strategies for dealing with global problems: regime shifting, forum-shopping, and strategic inconsistency (Alter and Meunier, 2009). Regime-shifting refers to states decided to address problems through parallel-regimes. Forum-shopping arises when states select a particular international institution over another to decide

on an issue, based on which platform will generate the most positive outcomes. Strategic inconsistency appears when a parallel regime will create contradictory rules to weaken the rules in another agreement (Cacharani, 2013 and Betts, 2010). Some states used these strategies to prevent refugee arrivals and UN obligations on refugee protection, transferring burdens to other states.

Moreover, some experts emphasized states misunderstood multilateral institutions, international law and human rights obligation. (Bedlington, 2004; Hathaway, 1991 and 1990) States recognized refugee issues as the issue area of migration and immigration, and therefore, they have disproportioned their duties, obligation and responsibilities in dealing with global problems (Bedlington, 2004; Hathaway, 1991 and 1990). It showed that international migration has been failed to develop a coherent, diversify and global governance framework. Although the UNCHR's 1951 Convention regulates international migration, global migration governance depends upon states' interests and hierarchies of power. This state-centric idea leads to cooperation and collective action problems since international cooperation occurs via policy coordination and action collaboration. In a bid to improve the refugee management, experts advocate the strengthening in institutions, mechanisms and the system of rights which rooted in the legal obligation. Refugee Convention should also include an independent supervisory mechanism to ensure states to meet the Convention's obligations (Hathaway, 2005).

This chapter discussed refugee policy in the perspectives of International Relations. It showed that refugee policy could be found in different forms, such as humanitarian actions, foreign policy and global refugee policy. Although some scholars, such as Snyder (2011), explained that International Relations tends to reject any humanitarian intentions in policy formation, other scholars believed interest orientated realism sometimes can be a great alliance in refugee policy making (Chaim Kaufmann and Robert Pape, 1999; Morgenthau, 1951 and Niebulr, 1932). Nonetheless, the ultimate goal of refugee policy under the stance of International Relations is to maintain national interests

and states' security. Some states may therefore employ a variety of strategies to avoid obligations in delivering refugee protection in order to secure its limited resources. It suggested that the strengthening in institutions, mechanisms and the system of rights could improve the compliance of Convention's obligations (Hathaway, 2005).

5.3 Refugee Policy in Sociology

5.3.1 The Nature of Policy

Unlike international relations approaches, sociologists have generally offered a 'bottom-up' perspective to examine refugee policy. Literature began to study refugee policy by exploring the nature of policy in general. First of all, policy codified social norms and values, and it clearly presented the fundamental organizing principles of society (Shore and Wright, 1997 and Apthorpe, 1997). Policy sometimes shows explicit or implicit models of society (Shore and Wright, 1997). Giffen and Judge (2010) cited the civil society policy as an example to explain how policy shows the model of society. He mentioned that if policy supports the development of a strong civil society, it allows civil society to have a greater agenda-setting role and enables civil society to engage with diverse agencies in the policy formation. In the case, it shows that civil society policy reflects a civil based society. In fact, policy is a “political technology” which used to shape the society (Miller, 2012 and Shore and Wright, 1997). Therefore, if the objective of policy is to protect the rights of refugees and other underprivileged groups, it intimates the model of humanitarian society.

Moreover, sociologists drew on the themes of power, authority, discourse and rhetoric to illustrate the concepts of policy (Miller, 2012; Wedel, 2009 and Shore and Wright, 1997). Raymond Apthorpe (1997) pointed out that language and power can be conveyed in written policy documents. He described policy documents as a form of discourse (Apthorpe, 1997), various discourses about refugees create particular notions of refugees which influence the development of refugee policy.

Apthorpe (1997) mentioned that the languages of policy intended more to please and persuade than inform and describe, and thus, it became a source of power to influence and convince the audience (Apthorpe, 1997). Furthermore, policy associated with power; the nature of policy is political (Foucault, 1976; Horsell, n.d. and Shore and Wright, 1997). Shore and Wright (1997) mentioned that masking policy with political intentions under the cloak of neutrality is a key feature of modern power. For instance, refugee policy apparently promotes social development, it virtually authorizes to impose order and limit the assistance of refugees. Behind all the languages and rhetoric, policy indeed is the power that enables the governors to achieve political goals.

5.3.2 The Sources of Refugee Policy

Apart from exploring the nature of policy, sociologist Oxana Shevel (2011) further illustrated that political forces are the sources of refugee policy. Political forces include the government, political elites, private sectors and parties who make the policy decisions (Shevel, 2011). Policy makers are highly autonomous in deciding the content of refugee policy if there are no legislative, institutional and historical legacies in refugee policy making (Shevel, 2011). Therefore, political forces have great influences in making policy decisions, and the outcomes of refugee policy are based on their preferences. Under the absence of the traditional sources of refugee policy, national identity usually becomes the main guide for some states to make refugee policy (Shevel, 2011). State policy to grant or not to grant legal status to a refugee depends on whether the refugee is treated as a member of the nation (Shevel, 2011). In this sense, a refugee gets a legal status if they could further integrate with local groups and shared a particular national identity of a given state. Nonetheless, national identity per se is political. It has a political implication because it involves allegiance to a particular state, and it is an instrument of political forces to separate citizens from other groups (O'Neil, 2009). Therefore, political forces are the decisive factors in refugee policy.

6.3.3 Migration Policy and Refugee Policy

Sociologist Stephen Castles (2004) tried to provide a pragmatic approach to describe refugee policy by exploring the migration policy. He mentioned that national migration policy should aim to prevent unwanted flows and manage migration and integration (Castles, 2004). It means that migration policy should be used to control the movement of asylum seekers and refugees, helping new ethnic minorities integrate with the local community. In addition, migration policy formation is based on two notions. One is the economic belief which encompasses the market behavior. It is linked to cost-benefits calculations, stating that people move and stay if they can maximize individual utility in the host states (Castles, 2004). If people believe they can earn higher income outside their countries of origin, they will move and settle in other states. The second is the bureaucratic belief, stating that the policy is designed to categorize migrants and regulate their admission and residence (Castles, 2004). In other words, if a state is unwilling to receive refugees and asylum seekers, it can restrain the newcomers to maximize their utility by restricting their working hours and wages. Meanwhile, if a state is a developing country where needs well educated labors, policy will be less generous to receive refugees and asylum seekers who are low educated workers. With these two beliefs, migration can be manipulated by appropriate policy settings.

What is more, Castles (2004) studied how interest conflicts and hidden agendas affect migration policy formation. Interests groups are essential actors in policy formation, and powerful interest groups can influence policy decision making. Nonetheless, migration may benefit or go against some groups (Castles, 2004). For instance, employers of certain sectors favor recruitment of migrant workers, while local labor union opposes the newcomers. In order to balance competing interests of different groups, the governments cannot explicitly decide to favor a particular group and ignore others. The government needs to convince and show certain groups that their wishes have been considered. Politicians may promise that they will allow more immigration while actually pursuing a policy against immigration if powerful interest groups are against immigration (Castles,

2004). Castles (2004) concluded that the hidden agenda in many migration policies, particularly refugee policy which claim to follow humanitarian objectives, while actually doing the opposite.

5.3.4 The Influence of Refugee Policy

Apart from the concepts and the usages of refugee policy, sociologists also examine how refugee policy affects refugees and asylum seekers, such as Chris Shore and Susan Wright (1997), Alice Bloch and Liza Schuster (2005) and Janet Taylor and Dayane Stanovic (2004). Policy underpinned every area of life, and it is impossible to ignore its influence (Shore and Wright, 1997). Therefore, it is undoubted that the life of refugees and refugee policy are inseparable. For instance, policy related to the housing allowance for newly arrived asylum seekers indirectly determines their living locations and conditions to a specified geographical area (Bloch and Schuster, 2005). Vanessa Johnston, Katie Vasey and Milica Markovic (2014) acknowledged that the government implements a policy of temporary refugee protection may limit refugees to access a range of government-funded benefits and services. For example, refugees are excluded from accessing tuition, settlement services and family reunion programmes (Taylor and Stanovic, 2004 and Johnston, Vasey and Markovic, 2014).

What is more, policy can be used to facilitate the dispersal of asylum seekers and refugees away from major urban centres in receiving countries (Johnston, Vasey and Markovic, 2014). There are two notions behind such policy. Firstly, it can share the burden of hosting newcomers between various localities (Boswell, 2001). Communities in different districts could be responsible for taking care of small groups of newly arrivals, avoiding a particular locality to bear all the refugee serving burdens. Secondly, since refugees and asylum seekers may unite themselves and develop their own community which may be against the government and the locals for different purposes, this policy tries to prevent the concentration of same-ethnic groups that may lead to social disharmony and dissension in the society (Boswell, 2001). Such policy breaks refugee population into small groups,

attempting to weaken the sense of belonging to their own ethnic groups.

Furthermore, policy plays a vital role in influencing the integration experiences of refugees.

Numerous literature discussed the factors that facilitate the integration of refugees, including financial support, adequate housing and employment, learning the language of the host country, and social support from refugees' own families and the mainstream society (Beiser, 2006; Bloch, 2000 and Lie, 2002). Johnston, Vasey and Markovic (2014) mentioned that successful integration is achieved only when refugees have been granted permanent protection in a host society. In this sense, temporary protection cannot foster the integration of refugees since refugees are unable to plan for their future. Lacking of a full membership of the host society, refugees are difficult to integrate on the ground that they do not regard themselves as members of the community (Johnston, Vasey and Markovic, 2014). Therefore, temporary protection of refugees alienates refugees from the host community, and the absence of a sense of belonging may harm refugees' mental well-being (Luebben, 2003).

5.3.5 Refugee Policy fails

Indeed, policy does not always function as intended and sometimes it may achieve the opposite results (Castles, 2003 and 2004; Shore and Wright, 1997). Policy fails when it does not achieve its stated objectives. For instance, Western European states implemented national and regional measures to reduce immigration and the entry of asylum seekers in the 1990s. Such restrictions, however, created business opportunities for both legal and illegal transnational corporations instead of stopping immigration (Castles, 2003 and 2004). Castles (2004) explained refugee policy may fail if it is based on a short-term view of the migratory process. Since the failure of policy only becomes clear after a considerable period, states are difficult to detect any policy faults or loopholes within a short-term view (Castles, 2004). Therefore, it is suggested that migration policy might be more successful if the government explicitly linked the policy to long-term political agendas concerned

with trade, development and conflict prevention (Castles, 2004).

This section discussed refugee policy in the sociological approach. With diverse languages, rhetoric and cultures, it showed that policy can be attached with different meanings, implying social norms, values or models of society. Therefore, the nature of policy is full of diversity. In addition, different parties, such as interests groups, political elites and private sectors, have their own interests and concerns in refugee policy formation. They may exert their considerable influences on the policy making. In order to balance the competing interests, the government may pursue hidden agendas in refugee policy. It pretends to achieve some objective, while actually doing the opposite. In fact, each refugee policy has a great impact on refugee life. It regulates the entry of refugees and asylum seekers and determines their level of protection and welfare. Seeing that the most powerful interests group decide the refugee policy, refugee protection depends on the preferences of the party. Nonetheless, policy fails sometimes because the government is shortsighted in policy making processes. Castles (2004) recommended the government to consider the policy in the long term as to examine unintended consequences.

VI. Current Refugee Policy in Hong Kong

Introduction

Assistance provided to torture claimants, asylum seekers and refugees is based on a humanitarian ground which is different from the welfare assistance provided to eligible Hong Kong citizens. The Hong Kong government collaborated with non-governmental organizations to offer in-kind assistance to torture claimants, asylum seekers and refugees (collectively “protection claimants”) on a case-by-case basis (Hong Kong Legislative Council, 2013).

In this section, we will explore Hong Kong refugee policy in the scopes of right to work, accommodation and food assistance which are the main focuses in this paper. There are several reasons for selecting these aspects. First of all, right to work rests on the basis of self-reliance. In fact, 97% of protection claimants are of working age (18-59 years old) (Chung, 2009), they are physically capable to work in Hong Kong. Protection claimants can earn their daily bread if they can work in Hong Kong, reducing their dependence on protection assistance. Secondly, accommodation is a fundamental human need. Having accessed to shelter, people reach safety. Therefore, it is essential to include housing allowance in this paper as accommodation guarantees security. Finally, most protection claimants are not allowed to work in Hong Kong, and cash is not given to them. Protection claimants cannot purchase food by themselves. Now that food assistance is the main source for maintaining their survival, we should not neglect this factor.

Although the assistance packages include transportation, toiletries, clothing and medical waiver, they are relatively less important. What is more, since most of the protection claimants are adults, education arrangement may not relevant to show the influences of refugee policy to most protection claimants. Therefore, we did not take the above factors into account in discussing the impacts of refugee policy.

In order to discover the welfare programme in Hong Kong, the following section will provide information of the Comprehensive Social Security Assistance (CSSA) Scheme. The CSSA Scheme offers financial assistance to Hong Kong residents whose income is not sufficient to meet basic needs. By comparing the differences between the CSSA Scheme and protection assistance of protection claimants, we could understand more about the situation of protection claimants.

6.1 Right to work in Hong Kong

To commence with, protection claimants are not self-reliant in Hong Kong. Before protection claimants are determined as refugees, they are legally treated as “over-stayers” by the Hong Kong government since their visas expire (Hong Kong Refugee Advice Centre, 2013). According to the Immigration Ordinance Cap. 115 Section 38AA (1) (a) and (b), neither asylum seekers, refugees nor torture claimants are granted the right to work in Hong Kong, including paid and unpaid jobs.

(1) A person-

(a) who, having landed in Hong Kong unlawfully, remains in Hong Kong without the authority of the Director under section 13; or

(b) in respect of whom a removal order or a deportation order is in force, must not take any employment, whether paid or unpaid, or establish or join in any business

(Hong Kong SAR Government , 2013)

In addition, protection claimants are not entitled to receive education, vocational trainings or volunteering activities (Hong Kong Refugee Advice Centre, 2013). Although temporary permission to work may be issued by the Immigration Department on a discretionary basis, it seldom happens (Moy, 2013). If protection claimants are found working illegally, they may be subjected to a maximum penalty of three years in prison and a \$50,000 fine (Hong Kong Refugee Advice Centre, 2013). Now that asylum seekers and torture claimants are not allowed to work in Hong Kong, most

of them rely on others to supply their daily needs, such as the government and non-governmental organizations.

On the other hand, CSSA recipients receive a monthly financial assistance from the Social Welfare Department under the CSSA scheme. The amount is paid to different categories of recipients to meet their basic needs. The following table shows the standard rates of monthly financial assistance under the CSSA Scheme.

Table 2: The Standard rates of monthly financial assistance under the CSSA Scheme

	Single person	A family comprising not more than 2 able-bodied adults/children	A family comprising 3 able-bodied adults/children	A family comprising 4 or more able-bodied adults/children
Single parent/ Family carer aged under 60	NIL	\$2,340	\$2,115	\$1,875
Other adult aged under 60	\$2,155	\$1,920	\$1,735	\$1,545
Able-bodied child aged below 15 or aged 15-21 receiving full-time education	\$2,590	\$2,145	\$1,925	\$1,720

(Source: The Social Welfare Department, 2014)

Apart from offering the financial assistance, the CSSA Scheme also encourages CSSA recipients to take up employment in Hong Kong. It suggested that CSSA recipients aged 15-59 in normal health should actively seek full-time jobs and participate in the Support for Self-reliance Scheme of the Social Welfare Department (Hong Kong Legislative Council, 2013). They should look for a full-time job with not less than 120 working hours a month and a monthly income should not less than \$1,845 (Hong Kong Legislative Council, 2013). The Administration also provides financial incentives for able-bodied CSSA recipients to seek employment or work for longer hours in order to enable them to be self-reliant and leave the assistance ultimately (Hong Kong Legislative Council, 2013).

6.2 Assistance of protection claimants

The Social Welfare Department has commissioned a non-governmental organization International Social Services to provide assistance to protection claimants since 2006 (Hong Kong Legislative Council, 2013). It provides basic needs to protection claimants through the Asylum-Seekers and Torture Claimants (ASTC) Program (Hong Kong Refugee Advice Centre, 2013). In both 2012 and 2013, the Administration allocated \$203 million to this program (Hong Kong Legislative Council, 2013). This program offers a variety of assistance, such as temporary accommodation, food, clothing, transport allowances and counselling (Hong Kong Legislative Council, 2013). In fact, International Social Services is the biggest provider in offering claimants' assistance in Hong Kong since it obtained a huge funding from the government.

In the Social Welfare Tender Reference SWD/ T002/ 2011, it states that during a service recipient's claim as an asylum seeker or torture claimant is being processed by the United Nations High Commissioner for Refugees (UNHCR) or the government, the objectives of providing the services are to ensure the service recipients will not :

- (1) be left to sleep on the street;
- (2) be seriously hungry; or
- (3) be unable to satisfy the most basic requirement of hygiene (Vision First, 2014).

The assistance provided by International Social Services is mainly non-monetary assistance in order to meet the basic needs of living of the service recipients and to prevent them from poverty during their stay in Hong Kong (Vision First, 2014). Meanwhile, the aim of the assistance is to prevent “ a magnet effect which could have serious implications on the sustainability of our current support systems and on our immigration control” (Hong Kong Legislative Council, 2013). Therefore, the assistance is designed to prevent protection claimants from becoming impoverished instead of offering social welfare.

6.2.1 Accommodation

In the ASTC programme, International Social Services provides temporary accommodation with the supply of electricity, water and other basic utilities to claimants (Hong Kong Legislative Council, 2013). Rented flats are provided with a capacity of 11 roommates for one flat (Leung, Ng, Wong, Yiu and Yuen, 2012). However, if service users prefer to look for their own accommodation, International Social Services will offer a housing allowance which transferred directly from International Social Services to the landlords (Refugee Concern Network, 2013). Refugees therefore will not receive the housing allowance in cash.

There is no monetary- equivalent ceiling on the housing allowance, and the amount will be considered on a case-by-case basis according to the needs and personal situation (Refugee Concern Network, 2013), for instance health conditions and availability of own resources (Hong Kong Legislative Council, 2014). In fact, the standard of monthly housing allowance grid per adult and per child aged between 3 and 12 years increased from \$1,200 to \$1,500 and from \$600 to \$750 respectively (Refugee Concern Network, 2013 and Lau, 2014). For those refugee children aged below 3 years, they are generally ineligible to receive any rental assistance (Hong Kong Legislative Council, 2014). In addition, the housing rent allowance did not cover miscellaneous expenses, such as telephone installation and monthly charges, electrical fitting and water and sewage (Refugee Concern Network, 2013).

Before 2014, the amount did not cover housing deposit, property agency fees or furniture (Refugee Concern Network, 2013). In response to the requirements of non-governmental organizations and protection claimants, the Administration decided to enhance the service package for claimants in early 2014. The government set to provide a rent deposit of up to \$3,000 or an amount equivalent to two months of rent (Hong Kong Legislative Council, 2014). Protection claimants could receive a property agent fee of up to \$750 or an amount equivalent to the rent for half a month (Lau, 2014 and Hong Kong Legislative Council, 2014). Moreover, the allowance for basic utilities will be

adjusted from about \$260 to \$300 per person (Lau, 2014 and Hong Kong Legislative Council, 2014). Service recipients could make use of the allowance to meet different utilities charges, such as water, gas and electricity (Hong Kong Legislative Council, 2014).

On the other hand, a rent allowance is offered to eligible applicants to meet the cost of accommodation under the CSSA Scheme. The amount of the allowance is equal to the actual rent paid by the household or the maximum fixed under the scheme, whichever is the less (Hong Kong Legislative Council, 2012). The levels of maximum rent allowance are adjusted in accordance with the movement of the Consumer Price Index (Hong Kong Legislative Council, 2012). Moreover, the CSSA Scheme offers extra allowance to eligible members for paying water and sewage charge, electricity, gas and rental deposit (The Social Welfare Department, 2012). The following table shows the rent allowance provided by the CSSA Scheme. It is provided based on the number of eligible persons in the family, which includes adults and children irrespective of age (Hong Kong Legislative Council, 2014).

Table 3: The Comprehensive Social Security Assistance – Rent Allowance

	Amount per month
For a single person	\$1,440
For a family of : –	
2 eligible member	\$2,905
3 eligible member	\$3,795
4 eligible member	\$4,035
5 eligible member	\$4,045
6 or more eligible member	\$5,055

(Source: Hong Kong Legislative Council, 2014)

6.2.2 Food Assistance

Apart from housing allowance, protection claimants receive in-kind food assistance from the contractor International Social Services at various pick-up points (Refugee Concern Network, 2013). Additionally, service users can also directly collect food at seven food supplier shops which are located in Yau Tsim Mong, Sham Shui Po and Yuen Long districts (Hong Kong Legislative Council, 2013). Recipients can select the types and quantity of the food from a food list (Hong Kong Legislative Council, 2014). Single claimants can collect the food items 3 to 5 times per month depending on their preferences while family cases can collect their food 6 to 8 times a month (Hong Kong Legislative Council, 2013). The arrangement of the food collection is to ensure that claimants can get fresh food items and manage the food packages (Hong Kong Legislative Council, 2013).

The government has increased food assistance to refugees in early 2014. The value of food increased from \$1,060 to \$1,200 per month (Lau, 2014 and Hong Kong Legislative Council). Nonetheless, a report showed that adults only get food worth about \$900 per month and children only get \$450 per month (Hong Kong Human Rights Commission, Society for Community Organization, New Immigrants' Mutual Aid Association and Asylum Seekers' and Refugees' Voice, 2009). In addition, International Social Services states that there are over 500 food items in the food order list (Refugee Concern Network, 2013). Infants and pregnant women have a separate food list based on doctors' recommendations and their requests (International Social Services – Hong Kong, 2010). However, according to the Social Welfare Department, there are nearly 200 food items provided include 21 meat/ meat products, 35 vegetables, 12 grains/ cereals, 12 beverages, 9 fruits, 20 condiments/ spices, 7 milk/ dairy products and 40 baby food items (Hong Kong Legislative Council, 2014), catering for nutritious, cultural, religious and other specific requirements of individual service recipients (Hong Kong Legislative Council, 2013). The Administration mentioned that there is also no monetary-equivalent ceiling on food items, the amount of food distributed to recipients should be based on their actual needs (Hong Kong Legislative Council,

2013; 2014).

On the other hand, the CSSA recipients receive cash allowance under the scheme. They can purchase food whatever and whenever they want. The standard cash rates per month for singleton under the CSSA scheme: \$1,630 (Adults) and \$1,955 (Children) (Hong Kong Human Rights Commission, Society for Community Organization, New Immigrants' Mutual Aid Association and Asylum Seekers' and Refugees' Voice, 2009). CSSA children who are full-time students are entitled to an additional monthly meal allowance of \$200 to cover the additional expenses (Hong Kong Legislative Council, 2008). The allowance is adjusted in accordance with the Social Security Assistance Index of Price (Hong Kong Legislative Council, 2008).

Additionally, the Short-term Food Assistance Service Projects provides short-term food assistance to the CSSA recipients who have temporary difficulty coping with basic food expenditure (Hong Kong Legislative Council, 2012). The Short-term Food Assistance Service Projects are operated by some non-governmental organization, and the Social Welfare Department would provide appropriate assistance to these organizations (Hong Kong Legislative Council, 2008). In 2012, a sum of \$100 million was allocated to the Budget to continue the services, and the Administration agreed to allocate another \$100 million in 2013 as to enhance the short-term food assistance service projects (Hong Kong Legislative Council, 2013).

Table 4: Comparison between the CSSA recipients and protection claimants

Type of assistance	CSSA recipients	Protection claimants	Differences
Right to work	<ul style="list-style-type: none"> – Able-bodied CSSA recipients should proactively seek employment. – Recipients should take up a full-time job with not less than 120 working hours per month and a monthly income not less than \$1,845. 	<ul style="list-style-type: none"> – Work in Hong Kong is unlawful. 	<ul style="list-style-type: none"> – Protection claimants have no right to work in Hong Kong; CSSA recipients are encouraged to work. – CSSA recipients can be self-reliant; protection claimants must live on the financial assistance.
Accommodation allowance	<ul style="list-style-type: none"> – Rent allowance is equal to the actual rent paid by the household. – Rent allowance is provided on the number of eligible persons in the family, which includes adults and children irrespective of age. \$1,440 cash allowance for singleton. 	<ul style="list-style-type: none"> – No cash allowance given, it is directly transferred to landlords. – \$1,500 for adults and \$750 for children. – Children below 3 years generally do not receive any rental assistance. 	<ul style="list-style-type: none"> – Rental expenses can be completely covered under the CSSA Scheme; protection claimants received a standard amount. – Children under the CSSA scheme receive same amount of rental allowance as the adults; refugee children aged below 3 are not eligible to receive assistance – Water and sewage charge, electricity, gas and rental deposit are covered under the CSSA Scheme; protection assistance covers a part of those expenses.
Food assistance	<ul style="list-style-type: none"> – Cash allowance for food: \$1,630 (Adults) and \$1,955 (Children). – Separate meal allowance of \$200 for full-time students. 	<ul style="list-style-type: none"> – No cash is given. – In-kind food assistance is about \$1,200 per month, but food is worth about \$900 (Adults) and \$450 (Children). 	<ul style="list-style-type: none"> – In term of actual value, adult protection claimants receive 55% of that given to the CSSA recipients. – In term of actual value, children protection claimants receive 23% of that given to the CSSA recipient. – Cash is given to the CSSA recipients, enabling greater flexibility in selecting and purchasing food.

VII. Findings and Data Analysis

Introduction

In this section, it presents the findings from primary sources and secondary sources. Primary sources include information from four participant-observations (Appendix 11.1 to 11.4) and three personal interviews (Appendix 11.5 to 11.7). Secondary sources include the annual reports of the non-governmental organizations, newspaper and existing research reports.

The findings were categorized into three parts: right to work, accommodation allowance and food assistance. In each part, we will present the primary consequences and the secondary consequences that caused by a particular policy. Primary consequences refer to the effects that directly lead by the policy. Secondary consequences refer to the unintended or unforeseen outcomes that caused by the policy. Additionally, this section highlights and summarizes the issues and challenges confronted by protection claimants in their daily life. The community organizers and protection claimants demonstrated a clear understanding of the daily difficulties that most protection claimants face in Hong Kong. With all the information, it provides comprehensive and balanced views about how their experiences are linked to the current refugee policy.

7.1 Right to Work

7.1.1 Primary Consequences

7.1.1.1 Facing the Plight

Since it is unlawful for protection claimants to work in Hong Kong, protection claimants face various financial difficulties in their daily life, for instance, they are unable to rent adequate housing or purchase sufficient food. Many of them end up homeless and become identified as living in the street. Therefore, the community organizers and protection claimants often strove for the right to work. Protection claimants cannot be self-reliant, and thus, they must live on the minimal government-backed allowance. In the absence of the right to work in Hong Kong, the community

organizers and the protection claimants believed such policy puts protection claimants into dilemma.

A torture claimant spoke of his experience about without the right to work in Hong Kong that harmful to his life.

“Life now is very difficult. You cannot work, and living in Hong Kong is very expensive.

How do you live in a big city without work? In my first year in Hong Kong, I begged around for money and food. In your second year, you can no longer do this, because people will be tired and disgusted at you. I feel ashamed, because I am a human and I cannot beg around forever. Sometimes in the street, I ask people for 1-2 dollars for my bus ride, and I feel embarrassed. I would rather work than to beg for money. I am a man, I can work. They [the Government] do not open their doors for you, to give you opportunities to learn and to train your skill set” (Vision Frist, n.d.).

In fact, protection claimants thought that it is impossible for them to depend solely on the assistance for sustaining their life, especially they have to take several years in Hong Kong due to long processing times in the refugee status determination and resettlement procedures. They believed that working in Hong Kong is the only way to improve their situations.

7.1.2 Secondary Consequences

7.1.2.1 Work Illegally

Furthermore, with no right to earn an income in Hong Kong, protection claimants are forced into a position of poverty or work illegally in the informal sector where taxes are not paid. In the report of Hong Kong Refugee Advice Center, it mentioned that protection claimants may be forced to work illegally in the informal economy or turn to negative coping mechanisms for their survival (Hong Kong Refugee Advice Centre, 2013). In addition, Mr. Cosmo Beatson, the executive director of

Vision First, thought that some protection claimants were forced to work unlawfully since they face the dilemma between the financial pressure and the need of survive (Leung, Ng, Wong, Yiu and Yuen, 2012). He expressed that protection claimants are forbidden to work destroys all legal means for them to make a living in Hong Kong (Leung, Ng, Wong, Yiu and Yuen, 2012). Therefore, from the words of the community organizers, protection claimants resort to work illegally in order to resist the institutional barriers in Hong Kong.

In fact, all interviewees agreed that the current level of assistance is unable to meet their basic needs of life, and the lack of the right to work in Hong Kong exacerbated their poverty problems. The interviewees admitted that some protection claimants in Ping Che are forced to work illegally as a manual labor for HK\$300 a day to help make ends meet. Moreover, a news discovered that protection claimants are mainly engaged in manual works in recycling yards or construction sites in the remote, and they may work as delivery workers or black labors in the restaurants (Sing Tao Daily, 2014). By doing so, protection claimants could gain \$200 to \$400 per day in a bid to sustain their life (星島日報, 2014). Boules (See Appendix 11.6), one of the interviewees, he was introduced by his friend to work as a freelance journalist in Hong Kong. Working as a freelancer, Boules believed he can reduce the risk of being caught as he could secrete his record of employment and evade paying taxes. In this very costly city, many protection claimants are forced to work unlawfully, reflecting the dilemma that these protection claimants face in Hong Kong.

Worse still, without the right to work, Cosmo believed it will force protection claimants to commit crimes instead of working illegally. Protection claimants face 22 months in prison for engaging in unlawful works. Nonetheless, Cosmo pointed out that “[r]obbery in Hong Kong gets 7-8 months [in prison], for prostitution you get 2-3 months, so these policies are actually forcing criminality” (Castle, 2014). Therefore, facing the heavy penalty for working illegally and survival, protection claimants may choose to commit crimes which bring less consequences to them.

7.1.2.2 Negative Emotions

Many protection claimants desire to take up legal employment in Hong Kong since they want to live with dignity and stay meaningfully. Christian Actions considered protection claimants are unable to occupy their time meaningfully and productively since they are not allowed to take up employment in Hong Kong (Refugee Concern Network, 2013). It would cause an adverse effect on protection claimants' mental health and contributes to feelings of social isolation, depression and hopelessness (Refugee Concern Network, 2013). Working enables protection claimants to achieve a sense of accomplishment and make their life more meaningful. If protection claimants were abandoned for so long, they feel frustrated and hopeless. Among the population of protection claimants, some of them are well-educated. They were university students, engineers, businessmen, teachers and scientists in their countries of origin. They believed many have talents that are not in use in Hong Kong.

In addition, all interviewees (See Appendix 11.5 to 11.7) mentioned having a chance to live a dignified life is better than getting government assistance, and working enables them to utilize their intelligence and skills which makes their life hopefully. An asylum seeker expressed his hopeless for his future in Hong Kong without the right to work, saying that “ I feel that Hong Kong kills the dreams of asylum seekers and refugees. Whatever profession you once had doesn't matter here. We are here dreaming to become somebody, like law makers, engineer, doctors, things which we were in our home countries” (Seeking Refuge, 2013). For protection claimants in particular, the right to work is a vital component of avoiding social exclusion, ensuring integration into a future host country as they could equip themselves while their refugee status determination is processed and resettlement is granted.

A torture claimant also commented on his lack of right to work in Hong Kong, saying that “I feel desperate. We cannot work, and we do not have a chance to learn any skills. We can contribute to

society, we are human and we deserve a better life” (Vision First, n.d.). Meanwhile, an asylum seeker wishes to work in Hong Kong and be self-dependence, mentioning that “ we are not asking for pity... we want to be able to work to make money and support ourselves. We want to be able to control our own lives” (South China Morning Post, 2013). Protection claimants do not have the opportunity to gain a living by work and occupy their time productively, it indeed disempowers their personal autonomy.

7.1.3 Summary

To summarize, being as an idle person over a long period of time has a detrimental effect on protection claimants' mental health. With no right to work in Hong Kong, protection claimants are challenged by diverse financial difficulties that may force them to undertake unlawful works or approach negative mechanisms, such as committing crimes. Meanwhile, working makes protection claimants' life more meaningful and gives them hopes and dignity. It enables protection claimants to develop themselves by utilizing their skills and knowledge on work which can retain their psychological health.

7.2 Accommodation Allowance

7.2.1 Primary Consequences

7.2.1.1 Hard to Rent an Accommodation

All interviewees agreed it is difficult to rent an accommodation in Hong Kong with such low level of assistance (See Appendix 11.5 to 11.7). They believed the rental allowance for protection claimants is inadequate in the city's housing market, especially Hong Kong is the one of the highest real estate costs in the world (Global Property Guide, 2014). Although the government increased the amount of housing allowance to HK\$1,500 (adults) and HK\$600 (children) (Refugee Concern Network, 2013 and Lau, 2014), it is unable to guarantee an affordable, habitable, accessible and secure accommodation. The rental allowance excludes all the expenses related to housing, such as

water and sewage, rental deposit, electrical fittings and telephone installation. Boules (See Appendix 11.6), one of the interviewees, said refugees and asylum seekers may sleep in an empty room since they do not have money to buy the furniture. Although he can get second hand furniture from Crossroads, he needs to wait about one month. In addition, the assistance is not adjusted periodically to changes in inflation or the Consumer Price Index (Refugee Concern Network, 2013), leading to retrogression in housing conditions from time to time since the allowance is losing real value over time. Therefore, all interviewees hope the government increase the housing assistance.

Furthermore, Ms. Lin, the community organizer of Society for Community Organization, informed that protection claimants are hard to find a place to live in Hong Kong as they do not have Hong Kong identity cards and basically due to racial discrimination, cultural and language barriers (Leung, Ng, Wong, Yiu and Yuen, 2012). Many landlords are not willing to rent flats to “foreigners” (Shum, 2011), and they stereotyped protection claimants as troublemakers. If protection claimants search place on their own, they only response from the agents and landlords are the unpleasant attitudes, and a simple answer “No, go, go” (“Moub a, jau la, jau la” in Cantonese) (Shum, 2011). Joe (Appendix 11.7), one of the interviewees, also admitted that it is hard to rent an accommodation by themselves. Some of the landlords were rude to them and ask them to leave. Therefore, it is hard for protection claimants to rent rooms in Hong Kong as they are not welcomed by the landlords.

7.2.1.2 Poor living Conditions

With such low levels of assistance, many protection claimants are reluctantly live in remote and sometimes dangerous areas of the city. Some are lucky to find decent places with the assistance of local friends and non-governmental organizations, notwithstanding, some of them are forced to live in rooms less than 50 square feet without any windows or air-conditioning (Shum, 2011). According to the report of Refugee Concern Network, 76% of protection claimants have challenges with space or physical accessibility (Refugee Concern Network, 2013). Ms. Lin believed that protection

claimants do not have a proper place to live is due to the limited assistance (Leung, Ng, Wong, Yiu and Yuen, 2012). She further explained that “the assistance they get is not very helping...around \$1200 or a little bit more. Of course with that you cannot really rent a very good place. Because the amount is so small, so the places they live are very small, in cramped up conditions, not very hygienic as well” (Leung, Ng, Wong, Yiu and Yuen, 2012).

The case of Ping Che showed a real life story of some protection claimants. It discovered the poor living environment that protection claimants live in Hong Kong due to limited accommodation assistance. There are approximately 150 Bangladeshi protection claimants who are living in Ping Che (Fanling) (Leung, Ng, Wong, Yiu and Yuen, 2012). The following pictures show a compound housing for 12 Claimants. The landlord of this compound charges \$1,200 per month for rent for each of the 12 protection claimants (Leung, Ng, Wong, Yiu and Yuen, 2012).



(Picture 1: Outside the compound)

(Source: TimeOut Hong Kong, 2013)



(Picture 2: Inside the compound)

(Source: Leung, Ng, Wong, Yiu and Yuen, 2012)

The dark corridor leads to quarters, kitchen and toilet. Since the 12 protection claimants are unable to afford to pay for electricity, there is no light in the corridor.



(Picture 3: the toilet for 12 protection claimants)

(Source: Leung, Ng, Wong, Yiu and Yuen, 2012)

The toilet shack has no plumbing or sewerage, and it is flushed with a bucket.



(Picture 4: the bed room)
(Source: TimeOut Hong Kong, 2013)



(Picture 5: The kitchen)
(Source: The Wall Street Journal, 2013)

In Hong Kong, it is believed that about 500 protection claimants living in the similar “homes” as the compound in the Ping Che rural area (Leung, Ng, Wong, Yiu and Yuen, 2012). Undoubtedly, such accommodation poses health and safety threats to protection claimants, such as dangerous electrical wiring, poor sanitation and inadequate locks.

7.2.1.3 Practices of protection claimants

In fact, most of the protection claimants live in small and poorly furnished accommodations in low-income districts of Hong Kong, such as Tsim Sha Tsui (Chungking Mansions), Jordon, Sham Shui Po or places where near to Yau Tsim Mong District. Protection claimants concentrate in these areas since the locations are close to the food collection points and the non-governmental organizations. Some social organizations provide transportation subsidies to protection claimants who either attend classes or do volunteering. For instance, Joe (See Appendix 11.7) received a transportation allowance of \$50 by attending one Tuesdays' service. If he goes to the African Fellowship every Tuesdays, he could receive \$200-\$250 per month. In order to save money, protection claimants walk to those places instead of taking transportation to the organizations and food collection centres.

Moreover, it found that protection claimants have a high degree of mutual supporting in surviving. Most of them choose to live together in order to concentrate the accommodation assistance for getting relatively better and decent flats. For instance, in the case of Boules (See Appendix 11.6), he shares accommodation with other two Egyptian protection claimants. He said he cannot afford the accommodation by \$2,000 rental allowance, and sharing accommodation is the one of the measures to rent a flat. He further explained that protection claimants used to share accommodations with those who are come from the same country of origin. For those who cannot afford to rent a flat in the urban areas, they will choose to live in New Territories, for example Tin Shui Wai, Yuen Long and Fanling.

7.2.2 Secondary Consequence

7.2.2.1 Become Homeless

Although protection assistance aims to offer temporary accommodation and ensure “no one be left on the street” (Refugee Concern Network, 2013), some protection claimants became homeless, particularly among new arrivals. Before the new protection claimants are able to receive the housing assistance, they are unable to rent an accommodation in Hong Kong due to financial difficulties. Therefore, they may sleep on the streets or at parks. Most of the homeless protection claimants would sleep near the Cultural Centre in Tsim Sha Tsui, and stay at parks during the day time (Leung, Ng, Wong, Yiu and Yuen, 2012). Sleeping in Tsim Sha Tsui, protection claimants could go to food collection centres on foot and get the assistance from nearby organizations.

An asylum seeker spoke of his living condition in Hong Kong, saying that “I am now sleeping outside on the streets. Even a dog has a house and a place to stay and to live. I want to ask you if the right to live, to be alive is only for a few people or for all people in the world... we are not really living here, we are just surviving”(RTHK, 2011).

Another asylum seeker shared her experience of being homeless in Hong Kong.

“ During these times I, along with many others, had to sleep under the Cultural Centre near Star Ferry. All because of economic reasons. I slept near Star Ferry for many, many months. About eight months in total. Sometimes whilst I was sleeping under the Cultural Centre there would be a heavy pour of rain. Then the sadness would come. Because I could not sleep. Rather I coiled myself like a snake to keep warm... there were many of us sleeping in these area. Imagine going through this situation for almost 3 years. How can such a person have a clear mind under these circumstances” (Seeking Refuge, 2013).

What is more, in the case of Ferdinand (See Appendix 11.11), it discovers a homeless experience of a new arrived Congolese asylum seeker who has slept outside for 6 months. Ferdinand slept under the arches of the Cultural Centre for 4 months since he was unable to rent a guestroom in Chung King Mansion. He met many other refugees who are suffering the same situation. Although he asked the UNHCR for assistance after he left the guesthouse, he received a very disappointing reply which asked him to go back to the Star Ferry. During that time, Ferdinand did not eat dinner and had to beg to eat. He slept under a walkway for 2 months as he cannot afford to rent a room. Later, he heard about Crossroads where he could volunteer and eat. He therefore went to Crossroads every morning and slept in the Gold Coast Beach at night. He washed himself at the nearby public toilet. Albeit he felt safe when he was sleeping on the beach, sleeping outside made him felt worry, abandoned and lonely. He said he did not expect to suffer like this in a modern city.

In addition, Joe (See Appendix 11.7) talked about his experience of sleeping on the street for several months before he got the financial assistance provided by the non-governmental organizations. Both Joe and Boules (See Appendix 11.6 and 11.7) mentioned about the temporary accommodation offered by the ISS. Nonetheless, they said some refugees and asylum seekers are forced to leave the guesthouse and become homeless when ISS refuses to pay for the rental. In fact, ISS receives the government-backed fund, and it is the biggest assistance provider. If ISS is reluctant to offer a helpful hand, it indirectly forces protection claimants to become homeless.

7.2.3 Summary

To sum up, protection claimants are hard to find an affordable accommodation or a satisfactory accommodation within the budget of \$1,500. They thus need to share a small accommodation with friends or settle in rural areas. Some forms of accommodation have substandard infrastructure which poses threats to protection claimants, for example the compound in Ping Che. Furniture and facilities are also excluded in the accommodation, and it may cause protection claimants

inconvenience as they may need to live in an empty room before they could get second-hand furniture or equipments from the non-governmental organizations. In addition, homelessness does occur among the population, especially among the new arrivals. Some newcomers are forced to sleep outside since they cannot afford to rent an accommodation with their own savings nor receive any assistance from ISS. They may sleep at the Cultural Centre, under the walkways or at the parks for a long period of time. Therefore, with the low level of accommodation assistance, protection claimants hard to access affordable accommodations and face the challenge of being homeless.

7.3 Food Assistance

7.3.1 Primary Consequences

7.3.1.1 Poor Food Quality

The quality of in-kind food assistance provided by ISS always called into question. In 2006, a Sri Lankan asylum seeker experienced some discomfort after consuming expired canned food from ISS (Chung, 2009). This incident revealed that the food provider did not take the responsibility to ensure the food quality. Ms. Sonya Donnelly, the Staff Attorney of Hong Kong Refugee Advice Centre, mentioned “ [t]his had been abused because some people who provide food give rotten food, expired food or food that is almost expired to asylum seekers, and there is no real complain mechanism that this can be investigated” (Leung, Ng, Wong, Yiu and Yuen, 2012).

Boules, Joe (See Appendix 11.6 and 11.7) also complained about the food quality, saying that they often receive rotten food or expired food which provided by ISS. Boules (See Appendix 11.6) said if protection claimants want to ask for exchange, the staff in the food collection centers will refuse their requests and tell them the food item is out-of-stock. The staff may even say “throw it away if you don't want to eat it” (Chung, 2009). Boules (See Appendix 11.6) mentioned that most protection claimants simply throw the unsatisfactory food after they collected the food items from the centres. Although protection claimants made the complaints against the food quality, no improvement was

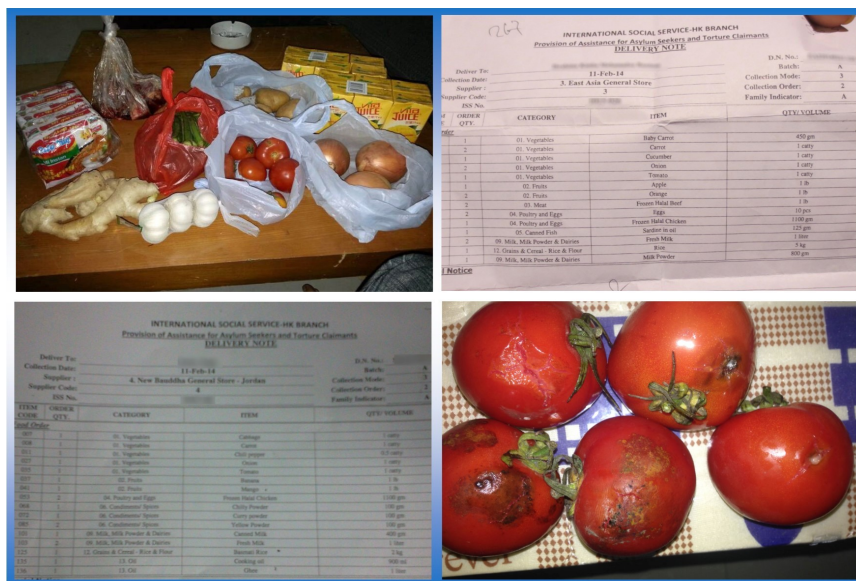
made. The following pictures show some of the food provided by ISS in the food centres.



Picture 6: Food provided by ISS-HK for three persons for ten days

(Source: Vision First, 2014)

ISS-HK supplied food for a family of three persons for ten days (90 meals). Nonetheless, the right bottom picture shows the rotten fruit which was provided by the Safwan Provision Store in Yuen Long.



Picture 7: Food provided to refugees for 10 days

(Source: Vision First, 2014)

The right bottom picture shows the rotten tomatoes which are given by ISS-HK.



Picture 8: Rotten eggs collected by one refugee family from an ISS-HK shop
(Source: Vision First, 2014)

In order to ensure the food quality, protection claimants and community organizers ask the Social Welfare Department to monitor and supervise its contractor ISS-HK (Vision First, 2014). All interviewees also agreed the government should in charge the protection assistance instead of outsourcing the service to ISS.

7.3.1.2 Doubt about the food value

This research found that all interviewees (See Appendix 11.5 to 11.7) doubt about the actual food value of the food items. They thought they can pay less if they purchase food themselves and buy food in other food stores. In the South China Morning Post's research supports, it discovered that food supplied by government contractor ISS is worth much less than its stated value (Vision First, 2014). The South China Morning Post visited the Kai Bo Supermarkets, wet markets and speciality food stores in Causeway Bay, Wan Chai, Chungking Mansions and Shum Shui Po to collect the retail prices of food that on ISS's food list. According to the research report, buying food from supermarkets, wet markets and food stores would cost between 13 to 30 per cent less than the \$1,060 worth of food ISS was contracted to provide (Vision First, 2014). The results show as below.

Paying top dollar

Comparison of food prices based on a list provided by ISS (HK\$)

\$927

\$756

Price breakdown (qty)	Retail price	Lowest price
Halal chicken (4.4kg)	\$110	\$110
Curry powder (0.3kg)	\$22.50	\$22.50
Milk powder (1.6kg)	\$176.60	\$120
Cornflakes (0.5kg)	\$53.70	\$53.70
Chocolate drink (0.4kg)	\$34.50	\$34.50
Basmati rice (5kg)	\$75	\$50*
Ghee (2 litres)	\$140	\$120*
Fragrant rice (10kg)	\$79.80	\$79.80
Orange juice (1,500ml)	\$12.50	\$12.50
Mango juice (1,500ml)	\$12.50	\$12.50
Cooking oil (900ml)	\$14.90	\$14.90
Sugar (0.5kg)	\$6.80	\$6.80
Onion (6 catty)	\$48	\$24*
Cabbage (3 catty)	\$15	\$12*
Tomatoes (6 catty)	\$72	\$30*
Oranges (2.3kg)	\$25	\$25
Eggs (30)	\$28	\$28

**Lower prices found in Sham Shui Po and Chungking Mansions*

Note: prices based on data collected in Feb 2014, where discounts might have been implemented

Source: Selected shops

SCMP

Picture 9: Comparison of food prices based on a list provided by ISS

(Source: Vision First, 2014)

In addition, the Refugee Union claimed only \$600 to \$700-worth of food was distributed instead of the \$1,060-worth required for each adult per month (Vision First, 2014). Some protection claimants also suspected whether the actual value of food items matches with the listed food prices. The following picture shows a package of 10 days food for an adult, including 2 chickens, a loaf of bread, 4 cartons of milk, 4 cartons of juice, 2 cups of yogurt, 1 pack of fruit and 1 pack of salt which costs \$1,200.



Picture 10: 10 days food for an adult

(Source: Vision First, 2014)

Mr. D (See Appendix 11.5) also doubted about the actual food value of the food items . He mentioned that in the food collection form, it shows \$22 per catty of Choy Sum (Chinese Flowing Cabbage) and \$95 per pack of 5kg rice, however, he could pay less if he buys those food items in other food stores. He spoke of most of the food is imported from Bangladesh with a low imported price, and therefore, he believed the prices of food provisions have been made up and manipulated by ISS-HK and the food suppliers.

Boules and Joe (See Appendix 11.6 and 11.7) suggested that a food coupon should be given to protection claimants so that they could purchase food they need in the supermarkets and other food stores. Lin advised “we have been advocating for something that they should get cash or coupons or some schemes where they can really get those food items they want”(Leung, Ng, Wong, Yiu and Yuen, 2012). All interviewees also prefer food coupon or cash allowance, so that they can purchase the food themselves.

7.3.2 Secondary Consequences

7.3.2.1 Protest Against the Unsatisfactory Assistance Package

In fact, protection claimants have been staging demonstrations to protect against the unsatisfactory assistance package and require an improvement in past few year. For instance, Vision First and protection claimants gathered for a peaceful demonstration to protest against the government failed in offering welfare services to protection claimants in the Legislative Council in the early 2014 (See Appendix 11.1). More than 50 protection claimants went to the rally, and some journalists arrived to interview the protest.



Picture 11: The rally in the Legislative Council

(Photo taken on 13th January, 2014, See Appendix 1)

7.3.2.2 The Occupation of ISS-HK

During the whole research process, there were two big protest movements. It found that anger has flared up among protection claimants. In the occupation of ISS-HK, protection claimants united and formed a Refugee Union to protest against the unsatisfactory food assistance provided by ISS. They call for the government to re-assume direct control of refugee welfare services and stop the services outsourcing.

On 11th of February, up to 100 asylum seekers in Hong Kong lodged sit-in protests at the Prince Edward offices of International Social Service Hong Kong (ISS-HK) (Kolo, 2014). Two other welfare offices in Mong Kok and Tsuen Wan have also been occupied (Kolo, 2014). The sit-in protests are to against the unfair treatment of aid-group ISS-HK. Protection claimants raised serious concerns about the food quality and the value of food. They believed the food provision is under manipulation. Therefore, protection claimants requested ISS to disclose the food pricing on the food collection forms, increase the amount of food assistance and improve the transparency of the

assistance package.

The offices of ISS were close down. Police officers arrived at the scene everyday to handle the incident. Protection claimants stayed and slept in the office, and they occupied the offices as to vent their anger and displeasure to ISS. On the seventh day of the occupation of social welfare offices, the High Court ordered the Refugee Union and its members to end the occupation and leave the premises. The occupation eventually lasted for one week. The Refugee Union believed the occupation achieved a certain degree of success since the occupation arose public interests.

Raymond, the chairman of the Refugee Union, said “ the court action shows that ISS-HK is feeling the pressure of our campaign” (Socialist Action, 2014). Therefore, they will continue the movement for the sake of the refugees' rights.



Picture 12: Police and Protection Claimants

(Source: Vision Frist, 2014)



Picture 13: Protection claimants slept in the office in Day 4

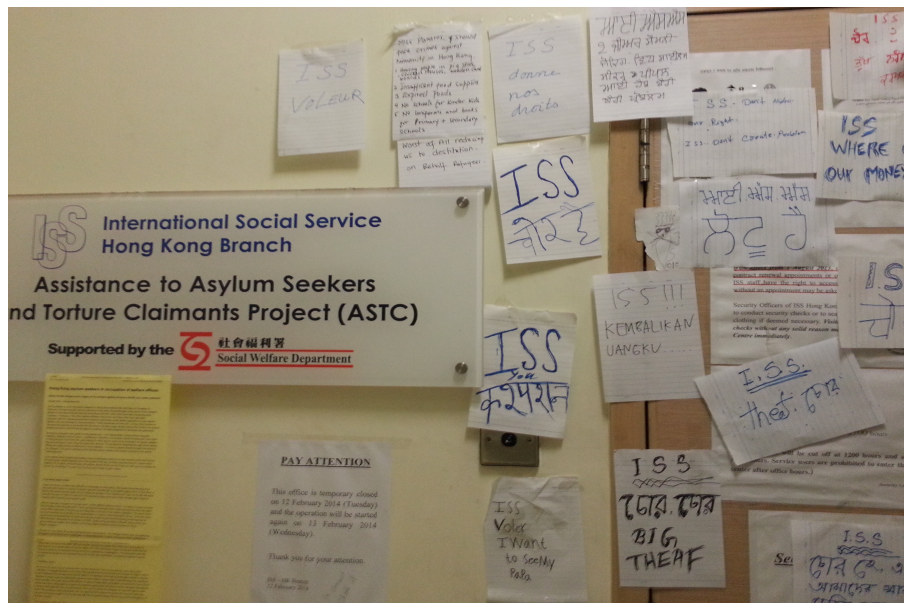
(Source: Vision First, 2014)



Picture 14: Protection claimants and the community organizers

(Source: Vision First, 2014)

The following photos show the Day 7 occupation in the welfare offices in Prince Edward. People sat in the office and sometimes yelled out their slogan “shame, ISS” (Appendix 11.3).



Picture 15: Words written by protection claimants
(Photo taken on 17th February, 2014, See Appendix 11.3)



Picture 16: Inside the ISS-HK office
(Photo taken on 17th February, 2014, See Appendix 11.3)
Green banner: Investigate ISS-HK



Picture 17: Inside the ISS-HK office

(Photo taken on 17th February, 2014, See Appendix 11.3)

7.3.2.3 The Occupation of the Social Welfare Department

Followed one-week occupation of the ISS offices, the Refugee Union started new occupation to condemn government of covering up abuses by the refugee welfare contractor ISS-HK. Around 50 refugees with their families set up a protest camp outside the offices of the Social Welfare Department in Hong Kong's Wan Chai district on the 27th of February (Chinaworker.info, 2014). In addition, the union filed a complaint with ICAC to investigate ISS-HK for corruption (Chinaworker.info, 2014).

The following photos show the scene of the Day 3 occupation. (See Appendix 4)



Picture 18: Protest camps under the Wu Chung House

(Photo taken on 1st March, 2014, See Appendix 4)

Protection claimants gathered under the Wu Chung House with tents, sleeping bags, placards and banners. The children were distributing the leaflet and some protection claimants were sitting on the pavement. Some tourists and pedestrians were interested about their action, and they talked to protection claimants. In fact, protection claimants were confident about their occupation since some of the journalists came to interview them. They believed there will be more and more Hong Kong people understand and know their situations. The Refugee Union still continues to occupy the



Picture 19: Banner

(Photo taken on 1st March, 2014, See Appendix 4)



Picture 20: Banners

(Photo taken on 1st March, 2014, See Appendix 4)

7.3.3 Summary

To sum up, the quality and the quantity of food assistance is unsatisfactory. It found that protection claimants sometimes receive rotten or expired food. Nonetheless, they cannot ask for exchange and their complaints were ignored by ISS or the shopkeepers. Since protection claimants live on the food assistance, they can either choose to take or throw away the rotten or expired food. Protection claimants argued that the government should monitor the service of protection claimants to ensure the food quality. Meanwhile, protection claimants questioned about the value of food. A research also revealed that food bought outside costs less than the prices listed on the food collection form. Therefore, protection claimants requested ISS to disclose the prices of food and increase the transparency of food purchasing.

Although protection claimants organized several demonstrations to protest against the inadequate food assistance, there are little improvements made for refugee welfare policy. Protection claimants, consequently, organized two big protest actions to vent their anger and demand for improvement. The occupation of ISS-HK and the occupation of the Social Welfare Department arose public interests since more people understand their situations for the news reports. For protection claimants, it is believed that they will continue to fight for their rights in Hong Kong.

VIII. Discussion

8.1 No right to work

The current refugee policy restricts protection claimants accessing to employment, causing a negative impact on their capacity to settle into everyday life. This was compounded by the uncertainty regarding the long processing times in the refugee-status determination. These findings are supported by other research which has discovered that restricting asylum seekers and refugees' access to economic rights and social rights has significant impacts for settlement, especially in securing employment (Bloch, 2000) (IV. Literature Review). Our research (VII. Findings and Data Analysis) also demonstrates that without employment, protection claimants have difficulties in settling in Hong Kong. Protection claimants cannot be self-sufficient in Hong Kong without the economic rights. They must depend on the assistance which puts them into limbo. With little savings or even no saving, protection claimants cannot plan for their future, such as doing business or purchasing property in Hong Kong. Therefore, it shows that the right to work determine the future of protection claimants.

In addition, without the right to work, it would limit their opportunities to interact with mainstream community members (Castles, 2004 and Johnston, Vasey and Markovic, 2014) (IV. Literature Review). A report of a non-governmental organization also revealed that employment has an indelible correlation with the social inclusion and interaction with the local population (Refugee Concern Network, 2013) (IV. Literature Review). In our research (VII. Findings and Data Analysis), it discovers that protection claimants hard to integrate into the society since they cannot find their positions in the society. They think they are idle persons, and they are suffer in Hong Kong. The hard feelings hinder protection claimants to build a sense of community and integrate with the locals. Additionally, Sales (2002) argues that the restrictions on economic rights and social rights on refugees make it easier for the mainstream community to exclude those recognized by political and media as “undeserving”. Some of the Hong Kong people perceive protection claimants as troubles

makers or free-riders, and therefore, protection claimants have less opportunities to interact with mainstream community.

Moreover, some of the protection claimants are forced to work illegally in our findings. Their decisions could be supported by the strain theory of deviance. The strain theory of deviance was developed by sociologist Robert Merton (SparkNotes, 2014). It explained that people attempt to attain culturally approved goals, nonetheless, their paths are blocked (SparkNotes, 2014). They may resort to non-institutionalized means or illegitimate ways to achieve success or goals (SparkNotes, 2014). In the findings of our research (VII. Findings and Analysis), it discovers that protection claimants work illegal or commit crimes. Facing the financial pressure, protection claimants are forced to work unlawfully or commit crimes since all the legal ways and institutionalized means are blocked. It finds that resorting to non-institutionalized means or illegitimate ways is the only way to sustain their life. Therefore, protection claimants work illegally or commit crimes show the unintended consequence of the current refugee policy.

8.2 Accommodation Allowance

According to Bloch and Schuster (2005) (IV. Literature Review), policy related to housing allowance for refugees and asylum seekers determines their living locations to a specific geographical area. This research (VII. Findings and Data Analysis) also revealed that the amount of the accommodation allowance affects protection claimants to select their living locations. With limited housing allowance, most protection claimants concentrate in the low income districts, such as Sham Shui Po, Yuen Long and Tin Shui Wai. In fact, protection claimants raise the same concerns with the standard budget of allowance of \$1,500. They may have the similar mentality of renting a room in the low income districts where they are able to afford the rental, and thus, protection claimants may concentrate in the specific geographical area.

Further, the accommodation allowance determines the living conditions of protection claimants. In the findings (VII. Findings and Data Analysis), some protection claimants live in a poor living condition since they are unable to afford a decent house with the little allowance. Therefore, housing allowance not only determines protection claimants' living locations, it also affects their living conditions.

Refugees might lean more heavily on informal social networks based on friendship, kinship and region of origin as to develop social relations (Johnston, Vasey and Markovic, 2014) (IV. Literature Review). This research (VII. Findings and Data Analysis) also discovers that protection claimants have a high degree of mutual supporting in surviving, particularly in renting an accommodation. It found that protection claimants tend to live together and share accommodation in order to pool the housing allowance assistance. They used to share accommodation with friends or people who are from the same country of origin. The insufficient assistance encourages protection claimants to unite which tighten the social relations among protection claimants.

8.3 Food Assistance

Betts (2009) (IV. Literature Review) mentioned forced migration has an essential and inextricable association with conflicts, especially the protracted refugee situations. In the past few months, the anger of protection claimants has flared up due to the poor service provided by ISS (VII. Findings and Data Analysis). In fact, the protracted refugee situations increase the risk of conflicts between the locals, the civil society and the government. Since protection claimants live in Hong Kong for a period of long time, the demands of protection claimants for more comprehensive refugee policy and better protection services are greater. Protection claimants tolerated the poor services for a long time, and thus, they turn frustration into anger. The occupations shows the conflicts between protection claimants, ISS and the government. It inevitably causes a small degree of social instability in Hong Kong due to the occupations.

IX. Conclusion

All in all, protection claimants face a lot of challenges in Hong Kong, regarding to self-reliance, housing accommodation and food assistance in the study. Without the right to work, protection claimants face financial difficulties which may force them to work illegally or commit crimes. In addition, protection claimants hard to find accommodations in Hong Kong with the limited housing assistance of \$1,500, and some protection claimants have to living in a poor environment. Homeless does occur among the population of protection claimants and the new arrivals. In order to survive on the inadequate housing allowance, protection claimants share accommodations or live in low income districts which offer cheaper accommodation. Moreover, protection claimants depend on the food assistance provided by ISS, nonetheless, the food quality and food quantity also called into question. Some protection claimants therefore organize protest actions to show their discomfort and unsatisfactory to the poor food assistance.

In fact, we take seriously the findings that protection claimants experience in their daily life, it discovers that the current refugee policy indeed further marginalizes protection claimants in Hong Kong. Without the right to work, protection claimants cannot be self-reliance, and they must survive on the protection assistance. This reduce the opportunities of protection claimants to get in touch and integrate into the mainstream society through working. In addition, protection claimants become idle persons which may bring negative impacts to their mental health. They may be frustrated and feel hopeless for staying in Hong Kong as they cannot build the sense of community by contributing to the society. It shows that the current refugee policy marginalizes protection claimants from integrated into the society by depriving their rights to work.

Furthermore, with the limited amount of accommodation allowance, protection claimants are forced to share accommodations as to pool the assistance for renting a room. Additionally, protection claimants gather and concentrate in several locations where provide cheaper accommodations, such

as the low income districts and the New Territories. The grouping lessens the intentions of protection claimants to integrate with the local community. They prefer status-quo and stay with the people they are familiar. Meanwhile, some protection claimants may become homeless as they are unable to afford the rental. Homeless is a marginalized group in Hong Kong, and the society usually ignores the homeless. Without any financial supports and social supports, homeless protection claimants are hard to live in Hong Kong. The feelings of powerless and hopeless make homeless protection claimants to disconnect with the society. Therefore, housing allowance unintentionally separates the locals and protection, pushing protection claimants to the edge.

Apart from no working right and limited housing allowance, the inadequate food assistance also marginalizes protection claimants. Protection claimants are separated from the existing social welfare system, food assistance is provided by ISS instead of the government. No cash is given to protection claimants for purchasing food themselves. In fact, they must depend on the food assistance, notwithstanding, the dependence of the food assistance made protection claimants powerless. Protection claimants are forced to accept the rotten or expired food and small quantity of food. This kind of mentality marginalizes protection claimants in our society as protection claimants live under insufficient food assistance.

While there is a large group of protection claimants in Hong Kong, Hong Kong should concern about the rights and welfare of protection claimants. There is a need to form a comprehensive refugee policy and bring refugee policy more in line with international human rights standards, especially protection claimants have to stay in Hong Kong for a long period. There are some considerations that suggest to improve a better refugee policy. First, the government could allow protection claimants to do voluntary works and limit their working hours. Protection claimants could gain some income to cover their expenses which are not covered by the assistance. It can also enable protection claimants to live more meaningful by contributing to the society.

Secondary, the government should adjust the assistance based on the inflation rate or Consumer Prices Index so that the food assistance and housing allowance can caught up with the inflation. Meanwhile, the government should regularly monitor the operations of the assistance and increase the transparency of the food prices. By doing so, it could ensure the quality and quantity of food assistance.

Thirdly, the government should shorten the waiting time of refugee-status determination. Since protection claimants have to wait for a long time for the result of refugee-status, this may cause financial burden and mental illness to protection claimants. In addition, if the government speeds up the determination progress, it could reduce the dependence of protection claimants on the protection assistance

Last but not least, every component of the assistance package is important to the life of protection claimants, and it should be re-evaluated over time. It is believed that a comprehensive refugee policy would not put protection claimants in a worse position or force them into dilemma. The government should make proactive, fair, transparent and sustainable policy for protection claimants, enabling protection claimants to integrate into the society and live with dignity.

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Appendix 11.1

Observation Log (1)

Date: 13th January, 2014

Location: The Legislative Council Exit B

Time: 11:00 am to 12:00 noon

Background:

The Legislative Council panel on Welfare met to discuss the adjustment of the level of social assistance to refugees, torture claimants and asylum seekers. Vision First held a protest rally at the Legislative Council, protesting against the government failed in offering welfare services to refugees.

Methodology:

The fieldwork was conducted through a naturalistic observation. There was no intervention in the environment and no attempt to manipulate variables. Studied and observed the behaviors of refugees, asylum seekers and torture claimants.

Observation:

At 11:00a.m., more than 50 refugees, asylum seekers and torture claimants gathered and stood in front of the Exit B of the Legislative Council, they held banners and cardboards to protest against the insufficiency of refugee assistance. Most of them are male. Refugees, asylum seekers and torture claimants stayed in the assigned area. They did not shout their slogans, but listened to the speech of Cheung Chiu-hung who is the vice-chairman of the Labour Party. Most of refugees, asylum seekers and torture claimants wore the t-shirts which sponsored by the Vision First.

About five mass media went to the protest rally, including the Commercial Radio Hong Kong.

The security guards of the Legislative Council stood nearby the demonstration, and there were two cruisers parked next to the Legislative Council. The rally projected an atmosphere of clam since the protestors did not do any irrational actions. About 11:30a.m., more and more protestors came to the rally. Some of them brought their wife and children to the demonstration. They decided to leave until the results released.



(Blue cardboards: Against refugee abuse)

Appendix 11.2

Observation Log (2)

Date: 15th February, 2014

Time: From 2:00pm to 3:15pm (about 1 hour)

Venue: Outside the Li Po Chun Health Centre : ISS – HK (Prince Edward Branch)

Background:

The Refugee Union established in the early 2014 which formed to fight for the refugees' rights. It occupied three offices of International Social Services – Hong Kong (ISS – HK) since 11st February, 2014, including the offices in Prince Edward, Mong Kok and Tsuen Wan. The protesters requested that ISS – HK stop cheating with the food suppliers and disclose the food prices in the food collection forms. Refugee Union believed the occupation could prevent ISS – HK and its contracted suppliers from manipulating food distribution.

Methodology:

This fieldwork was conducted through a participant observation. During the participant observation, the settings of the occupation and behaviors of refugees and asylum seekers will be studied.

Observation:

About 2:00p.m., there were five protestors (4 male and 1 female) stood in front of the gate of Li Po Chun Health Centre. Inside the Li Po Chun Health Centre, there were two male protestors. The gate of Li Po Chun Health Centre was locked. Four polices stood nearby the gate and monitored the actions of the refugees. During the observation, the polices walked near the centre every half hour. However, the polices did not talk to the protestors. In addition, about eight refugees and their family came to visit the others protestors who sat inside the centre.

I approached to the refugees, nonetheless, some of them refused to talk to by saying they did not speak English. Some of them came to talk to me and show their kindness. Most of the refugees did not act irrationally, in fact, they just talked to each others and discussed the next movement.

Some refugees told me that some journalists will visit them, and more refugees will come to the centre. They wished more Hong Kong people to know their situation.



(Outside the the Li Po Chun Health Centre)

Appendix 11.3

Observation Log (3)

Date: 17th February, 2014

Time: From 2:00pm to 6:00pm (about 4 hour)

Venue: Inside the Li Po Chun Health Centre : ISS – HK (Prince Edward Branch)

Background:

The Refugee Union occupied the office of ISS-HK (Prince Edward) as to request ISS – HK stop manipulate the food distribution and to ask for the disclosure of the food prices in the food collection forms. It was the Day 6 of the occupation.

Methodology:

This fieldwork was conducted through a participant observation. During the observation, the settings of the occupation and behaviors of refugees and asylum seekers will be studied.

Observation:

8 refugees and 2 community organizers stood in front of the gate of the Li Po Chun Health Centre. I went to talk to Jaco, a community organizer of the Socialist Actions. He said they were waiting for the result of the injunction. He believed the High Court will issue the injunction, and refugees must leave the centre. We took the stairs and went inside the centre. There were about 20 male refugees, 1 female refugee and 1 community organizer from the Socialist Actions inside the center. Some refugees were sleeping and some of them were chatting. During I stay, policemen were watching the meeting, however, they did not prevent refugees from doing anything.

An Indian torture claimant talked to me, and he shared some of the views about refugee policy. He has been staying in Hong Kong for 9 years. He said the protection assistance is totally not enough

for them to sustain in Hong Kong. Some refugees will go to work in construction sites or do dirty works. He believed ISS did not do their jobs and tried to fool refugees, saying that ISS should provide better services as they received the government funds. In addition, he did not work, and therefore, he usually hung around in the place where he lives. He mentioned that it is impossible to stay at home for a long period of time. It made people hopeless and feel depressed. Therefore, he will go to play football with his Hong Kong friends and sometimes go to Lan Kwai Fong to have a drink. He said his Hong Kong friends gave him a lot of supports, both financially and mentally supports.

He said he shared a small accommodation with one torture claimants since the housing allowance is not enough for him to rent an accommodation on his own. He wish to leave Hong Kong and go to Canada.

One refugee wanted to talk to me as well. However, he could not speak English. His friend translated his words to me, and we talked awhile. He comes from Bangladesh, and he stayed in Hong Kong for 5 years. He showed some photos of his sons and daughter to me. In addition, he showed me two photos of him being tortured by the polices in his country of origin. In the photos, he was extremely thin and he was handcuffed and shackled to a bed.

During I stay, refugees did not do any radical actions. Sometimes they expressed their views toward the injunction and sometime they yelled out the slogan "Shame, ISS". Some refugees were afraid that they cannot continue the occupation since they believed the High Court will not stand on the refugees' side. In addition, they did not want to break any law as they believed it will affect their application for refugee-status. They wanted to give a good impression to Hong Kong people, and therefore, they decided to follow the Court's order once the injunction was issued.



(The guy in right hand side helped to do the translation.)

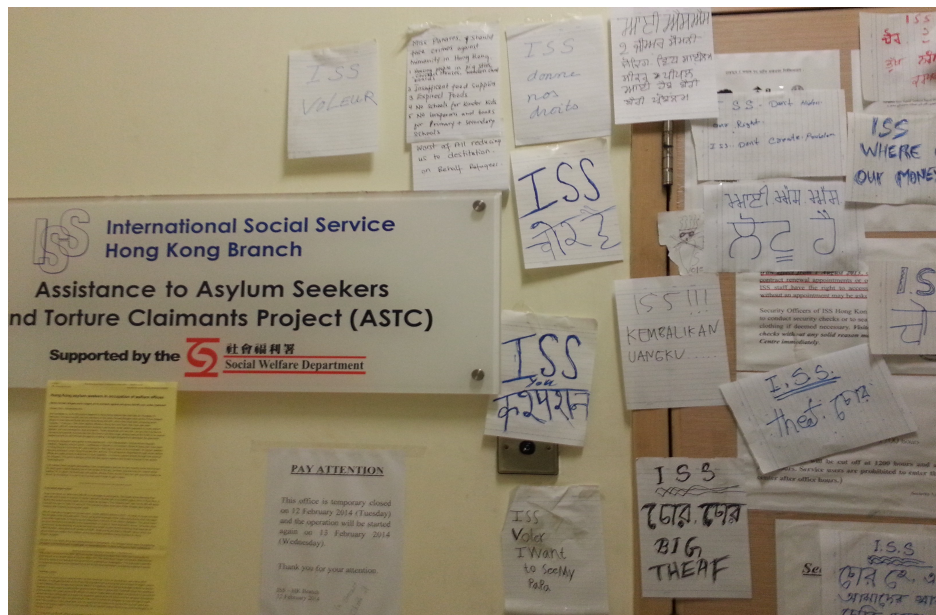
(They were discussing the next movement.)



(Blue Banner: Against inhumane treatments to refugees)



(The guy in right hand side: the community organizer of the Socialist Actions)
(Policemen were watching the meeting of refugees)



(The words were written by refugees, showing their discomfort and anger to ISS)

Appendix 11.4

Observation Log (4)

Date: 1st March, 2014 (Saturday)

Location: Outside the Wu Chung House (Queen's Road Central No.213, Wan Chai)

Time: 1:00pm to 3:00pm

Background:

The Refugee Union blamed the Social Welfare Department fails to carry out its duties in providing food assistance to refugees. They launched the occupation of Social Welfare Department on the 27th February, 2014. The Union chose to launch their occupation under the Wu Chung House because the occupied space is public property, and therefore they will not be evicted by a court injunction. The purpose of the occupation is to pressure the Social Welfare Department stop supporting the contractor International Social Service – Hong Kong (ISS-HK). They required the government to discontinue the outsourcing of refugee welfare service. The occupation will not end until the Union's goals are achieved.

Methodology:

The Fieldwork was conducted through participant observation. The behaviors of protestors and pedestrians will be observed. In addition, it included the conversations of the protestors.

Observation:

Refugees gathered under the Wu Chung House with one big booth, six blue tents, sleeping bags, placards and banners. The Refugee Union used a red tape to separate pedestrian area and refugee area. Some banners were hung on the balusters.

At 1:00pm, there were 22 refugees (10 men, 6 women and 6 children) stayed outside the tents.

Three female refugees were folding the leaflets and asking the pedestrians to sign a petition at the booth. Three children were distributing the leaflets to the pedestrians on the street, and three children were playing outside their tents in the refugee area. Six male refugees were chatting and sitting on the pavements. The other male refugees were standing next to the booth. One female refugee suggested placing a donation box in the booth because they need money to support their action. She asked for the refugees' opinions, and refugees agreed to place a donation box.

An atmosphere of optimism and cohesion dominated the occupation. Refugees are confident about their occupation. They believed more and more people will concern about their rights since some media interested in their action, for instance ATV, Apple Daily and TVB. One male refugee said it was a special experience to be an interviewee of the media.

The Refugee Union made a roster for members, organizing the works among the members, such as the persons in charge day and night as well as who is responsible for the hot meals. A male refugee said he is responsible for looking after the kids while the other members are responsible for other duties. About 2:00pm, one female refugee bought hot meals (rice with white sliced chicken) to the refugees. She encouraged the refugees and said “Don’t worry about the food, we have enough food. Eat more and fight for our rights”. Some refugees brought some Indian food (curry vegetables and beans) and shared with the others. After the launch, three refugees cleaned the eating area. A few refugees bought some disposal bags since a nearby garbage bin was full.

I sit with six refugees on the pavement. I saw some Hong Kong people and tourists are interested in their action. Some people looked at the banners; two people talked with the refugees, and more than five people took photos. Having talked with the refugees, one female pedestrian bought two 5L bottles of water to them to show her support. One male worker greeted to the refugees. Most Hong Kong citizens who walked nearby did not express any disgusts at their action. They did not respond

or comment to their action nor show their dislike on their faces. Refugees did not yell on the street, most of them were just sitting on the pavement or distributing the leaflets to the pedestrians. I found that people who paid attention to their action mostly are foreigners.



(A big booth and six blue tents)



(The big booth with banner)



(Banners were hung on the balusters)

(Blue banner in the left: protest against inhumane treatments to refugees)

Appendix 11.5

Personal Interview (1)

Date: 15th February, 2014

Time: From 2:00pm to 3:15pm (about 1 hour)

Venue: Outside the Li Po Chun Health Centre : ISS – HK (Prince Edward Branch)

Methodology:

Conducted a face-to face interview with designed questions (See Appendix 11.8). Interviewee is allowed to express other opinions out the the questions. This interview includes three aspects: the rights of work, food assistance and accommodation. Interview has been informed that the interview will be only used in academic purpose and will not disclose in other reports.

Interviewee: Mr. D

Background

Mr. D stayed in Hong Kong about 7 years. His refugee-status claim is still not processed by the United Nation High Commissioner Refugee – HK (UNHCR-HK). He has been forced to flee from his country because he was threatened by the Taliban. He was extorted by the Taliban for HK\$15 million dollars. Since he refused to pay the money, he leaved his country as to escape from the Taliban. In fact, he initially did not decide to come to Hong Kong but Bangladesh. Due to the landslide, the way to Bangladesh was blocked. Mr. D then was recommended by his friend and went to Beijing. He paid money to his friend for making Hong Kong Visa when he arrived to Beijing. He went to Hong Kong by ship from Suzhou and started his life in Hong Kong since 2007.

Food Assistance

Mr. D said the food assistance is not enough to sustain their life in Hong Kong. Like other refugees

and asylum seekers, He requested the International Social Service (ISS-HK) to stop cheating with the food supplies. He demanded the ISS to disclose the food prices in the food collection forms. Mr. D said that the food provisions are not worth a particular amount of money. For instance, he needs to pay \$22 per catty of Choy Sum (Chinese Flowing Cabbage) and \$95 per pack of 5kg rice. He mentioned that most of the food is imported from Bangladesh with a low imported cost, and therefore, he believed the the prices of food provisions have been made up and manipulated by ISS-HK and the food suppliers. Apart from the food prices, Mr. D requested ISS-HK for the food quality improvement and more choices in food supplies.

Right to work

Mr. D also talked about his life in Hong Kong is very difficult. The assistance from ISS-HK is 'totally' insufficient for them to make a living. He mentioned that some asylum seekers and torture claimants work illegally and do dirty works (\$300 per day) in order to get more money. If a family has children or babies, it requires more financial assistance, such as buying baby milk power and clothes. He said that even Hong Kong people cannot survive with a \$1,200 monthly rent allowance and about \$600 monthly food provision.

Moreover, Mr. D emphasized that refugees and asylum seekers have no hope and no future in Hong Kong. Without the work permission, Mr. D thought that refugees and asylum seekers is useless in Hong Kong even though some of the refugees and asylum seekers are well-educated in their countries of origin. He mentioned that some of them were businessmen with high status, university students, doctors and scientists. Therefore, Mr. D said most refugees and asylum seekers can contribute and they are absolutely willing to contribute to Hong Kong. However, since the government did not allow refugees and asylum seekers to work in Hong Kong, most of them just sit at home and do nothing. He think that they are wasting their time in Hong Kong and no one can responsible for their wasted time. Mr. D showed two photos of his children and family. He asked “

What do you feel about leaving your family for 7 years?” He said he was desperated for so long, and therefore, he came to protest for requesting basic human rights.

Mr. D expressed that ISS-HK did not do their job and responsible for serving the refugees, asylum seekers and torture claimants. Now that ISS-HK signed a contact with the government and received huge amount of money, they should provide sufficient assistance to those people in need. Mr. D thought that ISS-HK fooled the refugees and did not concern about the life of refugees, asylum seekers and torture claimants. He mentioned that one torture claimant who was in jail for 10 months. The torture claimant cannot access to shelter after he was released. He then tried to commit crime as to get shelter in jail as the past few days were so cold. Mr. D mentioned that if the government allows them to come to Hong Kong, they should provide assistance, at least the basis human rights. If the government does not want to provide any assistance or take any responsibility, they can simply send them to other places, such as Canada and Australia. Mr. D insisted he does not want a citizenship, but a working permission. With the working permit, refugees and asylum seekers can earn by themselves and they are no longer need to rely on the NGOs and the government. Mr. D mentioned that now that most of the refugee receiving states allow refugees and asylum seekers to work, Hong Kong should not be the exception.



(Left: Mr. D)

Appendix 11.6

Personal Interview (2)

Date: 4th February, 2014

Location: The Vine Centre (29 Burrows Street, Wan Chai)

Time: 11:30am to 3:30pm

Methodology:

Conducted a face-to-face interview with designed questions (See Appendix 11.8). Interviewee could express other opinions out of the questions. This interview only focused on three aspects: the rights of work, food assistance and accommodation. Interviewee has been informed that the interview will be only used in academic purpose and will not disclose in other reports.

Interviewee: Boules

Background:

Boules is an Egyptian Christian. He stayed in Hong Kong since 2013. He was a journalist of Christian television broadcasting. Having reported the news of famine in Egypt in 2011, he made the Muslims angry. Two of his colleagues were killed by gunshots. He was also beaten by the soldiers and suffered serious injury. He had fourteen stitches in a head wound that made him to stay in hospital for one month. Although Boules did not completely recover from the injury, he joined another working team and continuously reported the news of famine in Egypt after he leaved the hospital. He believed what he had done was a good thing and did it in the name of God. Since his Muslim landlord was afraid of getting troubles, he was turned out of the premise. Boules did not want to tolerate anymore, and therefore, he leaved his countries. He initially decided to go to Germany as his friend is living there. However, he cannot go to Germany due to the Visa problem. As a result, he went to Thailand, Singapore and finally Hong Kong.

Accommodation

Boules lives in Jordon. The monthly rental of his flat is \$4,500. Since he cannot afford the rental, he rents and shares accommodation with his two Egyptian friends. Normally, asylum seekers could receive \$1,500 housing allowance per month from International Social Service – Hong Kong. Due to his health problem, Boules got an extra \$500 allowance per month. He thinks that \$1500 housing allowance is not enough for an asylum seeker to rent a flat in Hong Kong, and thus asylum seekers and refugees usually pool their money to rent a flat. In his words, most asylum seekers and refugees do not concern about the living environment of their accommodations as long as they access shelter.

If they cannot afford the rental, the International Social Service – Hong Kong will rent a guesthouse to them in Chungking Mansion in Tsim Sha Tsui. However, the International Social Service does not have a standard to state the duration of renting, sometimes it could be one month, two months or three months. Worse still, some refugees and asylum seekers are forced to leave the guesthouse and sleep on the street when the International Social Service refuses to pay for the rental. Boules said the International Social Service may claim that they cannot afford the rental of the guesthouses and ask the refugees and asylum seekers to leave the guesthouses.

In addition, refugees and asylum seekers cannot work in Hong Kong, they do not have money to purchase furniture. Some refugees and asylum seekers receive donated second-hand furniture from the Crossroads Foundation. Seeing that they need to wait for the furniture about one month, refugees and asylum seekers may sleep in an empty room before they get any furniture.

Food assistance

Boules said most refugees and asylum seekers get food which equivalent to \$1000 per month from the International Social Service. They can choose their food from the food list. However, the food is of inadequate quantity and quality. According to Boules, the International Social Service sometimes

provides expired or rotten food, such as vegetables. He did report to the staff of the International Social Service and required for exchange, however, the International Social Service rejected his requests on the ground of out of stock. Despite he reluctantly accepted the food, Boules will not eat the food and threw the expired or rotten food to the garbage bin. He also thinks that the provided food does not worth to the food prices marked by the International Social Service. He believed that food can be purchased at a lower price in the supermarkets or other places.

Boules usually gets the food assistance once in a week. In fact, food from the International Social Service is not ample for them. Boules and other refugees and asylum seekers will go to Christian Action since Christian Action provides buffet meals. Refugees and asylum seekers can have all they want. They can also take food away. Some refugees and asylum seekers walk to the center to get a free meal every day because they have no money to pay the fares.

Boules suggests that it would be better if the government gives them cash to buy their own food. If the government does not trust them, it could give them supermarkets' coupons or vouchers. They thus enjoy more freedom in choosing their food and ensure the food quality. In addition, Boules thinks that the Social Welfare Department would do better than the International Social Service if it is in charge of the food distribution program. For instance, it can ensure the food quality.

Without working permission

Without the rights of work, it is difficult for refugees and asylum seekers to survive in Hong Kong. According to Boules, most refugees and asylum seekers rely on the assistance provided by the International Social Services and other NGOs, such as Christian Action and churches. Some of the refugees and asylum seekers may get subsidies in cash from the NGOs and churches. Nonetheless, a few refugees and asylum seekers work illegal in Hong Kong when they are facing financial difficulties. For Boules, he earns his living as a freelance journalist in Hong Kong and receives

assistance from the NGOs.

He believed that the rights of work not only develops self-reliance of refugees and asylum seekers, but it can also make their life more meaningful. Most refugees and asylum seekers often wait in Hong Kong several years before their cases are determined. They will become hopeless if they have nothing to do but sitting at home or hanging around on the street for several years. Therefore, it was discouraging when the court rejected their appeal of rights to work in Hong Kong.

Medical Service

Boules said the Hong Kong government at least does a good thing which is providing free medical services to them. He stayed at the hospital for one month, but the government did not charge him the medical service. If they need any medical assistance, refugees and asylum seekers can request the medical waiver from the Social Welfare Department.

Unified Screening Mechanism (USM)

Boules said many refugees and asylum seekers have no idea about the new developed USM. The Hong Kong Refugee Advice Center (HKRAC) organized talks and introduced the mechanism, however, the assistance provided by the HKRAC is limited. The HKRAC does not provide extra legal services but help Boules write a letter to apply for a refugee-status only. Boules still needs to rely on himself to apply for a refugee status. In fact, the new developed USM does not favor the asylum seekers who waited for the recognition for a long time. Since everyone will be treated as a new comer under the new mechanism, asylum seekers need to start their waiting from zero even though he/she has been stayed in Hong Kong for more than 10 years.

Appendix 11.8

Interview Questions

Thank you for your participation. Let me introduce myself again. I am Pandus, a final year student from Lingnan University. I am now conducting a research about how the refugee policy affects the life of refugees in Hong Kong. I appreciate if you could share your story to me.

Before the interview, I have obligation to inform you. All the information you provide is considered completely confidential and used for academic purpose. During the interview, you could refuse to answer any questions if you wish. You may also decide to withdraw from this study at any time without any consequences. Your name will not be disclosed in any thesis resulting from this study. If you wish, anonymous quotations will be used. With your permission, the interview will be recorded to facilitate information collection, and later transcribed for analysis. If you wish to confirm the accuracy of our conversation, I could send you a copy of the transcript.

Ice breaking:

Would you mind telling me your name? Or how can I call you?

How long have you been in Hong Kong?

Where do you come from?

Interview:

About the working permission

1. Could you tell me about your daily life?
2. Do you work in Hong Kong? Why do you work?
3. What do you think about the rights to work in Hong Kong?
4. Did your friends work in Hong Kong?
5. What do you do if you face financial difficulties?

Housing Allowance

1. Where do you live? Can you describe your living environment that you are living?
2. What do you think about the housing allowance in Hong Kong?
3. What will you or your friends do if you or your friends cannot pay the rent?

Food assistance

1. Where did you get the food assistance?
2. What do you think about the food assistance provided by ISS? Quality and quantity?
3. What did you or your friends do if you or your friends do not have enough food?
4. Could you tell me about your experience in receiving food assistance?

End

Appendix 11.9

Research Topic

How does the current refugee policy affect the life of refugees in Hong Kong?

Declaration

This interview tries to gather the information about the refugees' life in Hong Kong. **ALL** the information you provide is considered **COMPLETELY CONFIDENTIAL AND**
USED FOR ACADEMIC PURPOSE.

During the interview, you could refuse to answer any questions if you wish. You may also decide to withdraw from this study at any time without any consequences. Your name will not be disclosed in any thesis resulting from this study. If you wish, anonymous quotations will be used. With your permission, the interview will be recorded to facilitate information collection, and later transcribed for analysis. If you wish to confirm the accuracy of our conversation, I could send you a copy of the transcript.

Appendix 11.10

The following email was extracted from the Vision First, disclosing the experience of a Congolese asylum seekers who had being six month homeless in Hong Kong.

“ I think what Vision First is doing with the shelter is fantastic – congratulations! If only there was such a safe place when I arrived in Hong Kong and had to live in the streets and on the beach for six months. I arrived in June 2007 and rented a guestroom in Chung King Mansion with the little money I had left. I only had enough for three days, so I went to the UNHCR and told them my story. They asked me where I slept and I said at the Star Ferry. I asked for assistance and they replied, “Go back to Star Ferry!” I was shocked, I couldn’t believed what they said to me. I asked the registration officer to introduce me to some Congolese people and they said they didn’t know any. But in fact there are many registered there!

Sleeping outside I got sick and was taken to Queen Elizabeth Hospital for six nights. Although in pain I was relieved I didn’t have to struggle for a bed. When I was discharged, a kind social worker sent me to a homeless shelter in Samshuipo where I stayed for one week; no need to pay there. They gave me food, I showered and felt safe for the first time. Later I informed UNHCR where I was sleeping and they told me to go back to Star Ferry as I didn’t have ID. They even called the shelter to say I couldn’t stay there any more. The UNHCR had me thrown back into the streets! From that day I spent FOUR MONTHS sleeping under the arches of the Cultural Centre and met many other refugees suffering the same fate. The most distressing part was finding food to eat and especially at night we were hungry as ISS doesn’t support those without homes. This was worse than in Congo: for four months I didn’t eat dinner and had to beg to eat.

Eventually I heard about Crossroads where I could volunteer and eat and this took me away from TST where there are a lot of police and immigration checks. Because my visa had expired I was

afraid of staying in Kowloon. I was too afraid of being tortured by the police if I surrendered. That's when I discovered the Gold Coast Beach. I left my suitcase at a shop in Chung King and only carried a small bag with the stuff I needed on the beach. I slept under a walkway for TWO MONTHS hiding from everyone. In the morning I went to Crossroads and nobody knew I had slept outside. I was so ashamed I didn't even tell friends at the Jesus is Lord Church because I didn't want to scare people. Actually, one day the pastor noticed I was suffering. We talked, I told him and he advised me to write a letter to the church explaining my suffering. After I wrote, nothing happened. That was what I feared: to ask for help and then get nothing, which was even more embarrassing than asking. I was very disappointed and after waiting for an answer for ten months, I stopped going there – this is something I've never told anyone and I'm glad to share it with you. I was in desperate need and they just ignored me!

Nights on the beach were tough. It was winter, November and December so it became dark early and it was cold. After 5pm I went to the beach. I waited till 6pm when everyone went home. I ate bread I saved from lunch. My shelter was under a walkway reaching from the road to the sand. I covered myself as best I could with material I found around there, stuff I hid under stones at dawn. When I lay down I could see the beach. Even the sea can surprise you, at night the waves could suddenly rise in a storm all the way up to my sleeping space. I was protected from the rain, but exposed to the wind. Often I couldn't sleep because I wasn't used to it: sleeping outside, worrying too much, no news from UNHCR, no news from home. I didn't know this life before. I worried the whole night, constantly felt abandoned and lonely. I cried a lot.

In the morning the beach cleaners knew I was there, but didn't make a fuss about it. Maybe they saw us, maybe they couldn't do anything about it. I was there with another Ghanaian guy who slept there before me. Also another Nigerian guy joined for a few weeks, but he gave up his case and went back home. We left the walkway before 7am to wash at the nearby public toilet. The water was cold

and made my body ache as I wasn't used to sleeping on the cold sand that chilled my bones. The beach was safe, but very lonely. It was an experience I will never forget as I didn't expect to suffer like this in a modern city. It's my wish that with your Refugee Shelter others will be spared my ordeal. May God bless you and support you with what you are doing. Thank you."

Ferdinand, 28 Congo Source:

Vision First (2011), Six months homeless in Hong Kong, retrieved from

<http://visionfirstnow.org/2011/08/14/six-months-homeless-in-hong-kong/>