

# **LegCo Panel on Welfare Services**

## **SPECIAL MEETING**

**Monday, 22 July 2013**

**3:00 pm - 4:25 pm**

**Ways to improve situation of  
refugees, torture claimants and  
asylum seekers in Hong Kong**

**Joint Submission by:**

Hong Kong Refugee Advice Centre

Christian Action

Refugee Concern Network

The Vine Community Services

Amnesty International Hong Kong

# 1. Introduction

- 1.1.** We commend the LegCo Panel on Welfare Services for its decision to hold a special meeting to discuss ways to improve the situation of refugees, torture claimants and asylum seekers (herein referred to as “protection claimants” in this document) in Hong Kong. We also welcome the invitation to depositions as well as the call for written submissions, which we hope can be a **preliminary step for further constructive dialogue between civil society and the government to find sustainable, human rights-based solutions.** However, the short advance notice (four business days) has been challenging and more notification in the future would be useful to the most substantive input and meaningful participation possible.
- 1.2.** **We hold steadfastly to the principle that protection claimants are not victims with needs, but holders of rights.** Even if HKSAR has not sought extension of the 1951 Refugee Convention and its Optional Protocol to its territory, it does have binding legal obligations to protection claimants under seven core international human rights treaties that enshrine basic minimum human rights for every person, regardless of their immigration status.<sup>1</sup> As such, **the government has a duty to respect, protect and fulfil, to the maximum of its available resources, the full range of civil, political, economic, social and cultural rights as enshrined in these human rights instruments, without discrimination.**<sup>2</sup> Indeed, several UN treaty monitoring bodies entrusted with monitoring states’ compliance to these instruments have raised concerns about HKSAR’s policy towards protection claimants and issued specific recommendations that the government should implement. Most recently, the UN Committee on Economic, Social and Cultural Rights requested that the government clarify protection claimants’ enjoyment of the right to housing and to work in preparation for HKSAR’s review by this body next year.<sup>3</sup>
- 1.3.** The current government policy, rather than allowing protection claimants to have a dignified stay during their time in Hong Kong (which is often several years), is merely aimed at “preventing destitution”. However, the line between living and not living in destitution is thin and often very subjective. This minimalist approach essentially forces protection claimants into situations of poverty—deprivations that are avoidable in a prosperous society where the government experienced a HKD 65 billion surplus last year.<sup>4</sup> **There is a high cost attached to maintaining the status quo.** Many current forms of assistance have inefficiencies and bottlenecks that if addressed would save resources and at the same time, be more fair and empowering to recipients. There are also reputational costs: with recent news developments, international media attention has been squarely fixed on Hong Kong’s asylum policy,

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<sup>1</sup> These include the International Covenant on Civil and Political Rights (ICCPR); the International Covenant on Economic, Social and Cultural Rights (ICESCR); the Convention on the Rights of the Child (CRC); the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT); the Convention on the Elimination of All Forms of Racial Discrimination (CERD); the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Convention on the Rights of Persons with Disabilities (CRPD).

<sup>2</sup> Article 2.1 of the ICESCR states: “Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and co-operation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the present Covenant by all appropriate means, including particularly the adoption of legislative measures.”

<sup>3</sup> CESCR, List of issues in connection with the consideration of the second periodic report of the People’s Republic of China (E/C.12/CHN/2) including Hong Kong, China (E/C.12/CHN-HKG/3) and Macao, China (E/C.12/CHN-MAC/2), Pre-sessional Working group, 51<sup>st</sup> Session, 21-24 May 2013, UN Doc.: 30 May 2013 at para. 44 and 55. Available at: [http://www2.ohchr.org/english/bodies/cescr/docs/AdvanceVersions/E-C-12-WG-CHN-Q-2\\_en.doc](http://www2.ohchr.org/english/bodies/cescr/docs/AdvanceVersions/E-C-12-WG-CHN-Q-2_en.doc)

<sup>4</sup> “CORRECTED-UPDATE 2-Hong Kong posts budget surplus as economy set for stronger growth”, Reuters, 27 February 2013, available at: <http://www.reuters.com/article/2013/02/27/hongkong-budgetidUSL4N0BR1SB20130227>

including protection claimants' living conditions. Lastly, the negative toll that these living conditions take on protection claimants' mental and physical health warrants urgent attention.

- 1.4.** In practice, as a result of the government's unwillingness to fulfil its duties and take responsibility, protection claimants are forced to seek assistance from other sources—a challenge in a foreign country where they do not speak the language and have little social networks for support. The government is failing in its policy to prevent destitution with its sparse levels of assistance. It is only the help of civil society which prevents protection claimants from plunging headlong into destitution. **We affirm that the government, as the primary duty-bearer, has a responsibility to meet its human rights obligations and cannot simply develop a policy that inherently relies on civil society or multilateral agencies to fill the gap.** Based on our years of experience as frontline workers as well as direct discussions with protection claimants, we have identified below the key challenges they face in Hong Kong, which we respectfully submit for the Administration's attention.
- 1.5.** We file this submission at a critical time for the protection landscape in Hong Kong; the Administration, responding to two recent judgments by the Court of Final Appeal,<sup>5</sup> has now announced its plan to develop a unified, screening mechanism (USM).<sup>6</sup> While many questions still remain, we, along with many legal experts and supporters of protection claimants, have long-advocated for a government-led unified screening mechanism and welcome these developments. However, we are highly concerned about the government's intentions to merely extend the same assistance currently provided to CAT, asylum-seekers and refugees available to protection claimants under the USM. This critical time in the lead-up to the USM provides an opportunity for reflection; **these welfare policies must be re-evaluated and reformed before the USM is made operational, as the government intends at the end of the year.**

## 2. Challenges with the Current Situation

- 2.1.** In 2006, the International Social Services (ISS) was commissioned by the Social Welfare Department to manage the Assistance In-Kind to Asylum Seekers and Torture Claimants (ASTC) project. As of January 2012, the government-funded ASTC project was extended to Hong Kong's refugee population. The stated service objective of this programme, according to the ISS website, is as follows, "Through the provision of assistance in kind, the ASTC programme, a humanitarian project, aims to prevent destitution for the most vulnerable within the asylum seeking and torture claimants' population."
- 2.2.** Legally treated as visitors/over-stayers, neither protection claimants awaiting the outcome of their claim nor successful claimants are granted the right to work—paid or unpaid.<sup>7</sup> Nevertheless, figures from 2008

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<sup>5</sup> See: *Ubamaka Edward Wilson v. The Secretary for Security and Director of Immigration (FACV No. 15/2011)* and *C and Others v Director of Immigration and Secretary for Security (FACV Nos. 18-20/2011)*

<sup>6</sup> See: HKSAR, Administration's Paper on the Screening of Non-Refoulement Claims, LegCo Paper No. CB(2)1465/12-13(01), available at: <http://www.legco.gov.hk/yr12-13/english/panels/se/papers/se0702cb2-1465-1-e.pdf>

<sup>7</sup> Sections 38AA (1)(a) and (b) Immigration Ordinance Cap.115 create an offence for anyone who has entered Hong Kong illegally and remains without proper authority, or has been made the subject of a removal or deportation order, to take up any employment or establish any business here, even though they have been released from detention with the approval of the Director of Immigration. HKSAR Government, Legal Aid Department Annual Report 2010, Chapter 3: Cases of Public Interest or Concern. Available at: [http://www.lad.gov.hk/documents/annual\\_rpt\\_2010/en/casepi.htm](http://www.lad.gov.hk/documents/annual_rpt_2010/en/casepi.htm)

show that 97% of refugees are of working age (18-59 years old).<sup>8</sup> Extraordinary temporary permission to work may be issued by the Director of Immigration to protection claimants on a discretionary basis, but is rarely granted in practice.<sup>9</sup>

**MOBILITY: Protection claimants receive transportation reimbursement for medical, legal, immigration, education or religious-related visits, but it is retroactive and limited. Many protection claimants are unable to pay the costs upfront.**

- 2.3.** One of the main challenges that protection claimants face is that they do not have the cash needed to pay for these costs upfront, even if they are to be reimbursed retroactively. Further, not all visits are reimbursed, even though they are crucial to the protection claimants' wellbeing, including counselling, food pick-up, and visits to non-public medical providers. Moreover, recipients are only reimbursed for the cheapest route. Recipients have a number of concerns regarding these arrangements, including: that the cheapest route fare is not disclosed in advance, that the way of calculating the route is not transparent and that the cheapest route options often entail a significant amount of walking (difficult for families with young children or persons with limited mobility) and taking transportation that is difficult to navigate due to Chinese-language barriers, such as some minibuses.

**HOUSING: Protection claimants are granted only 1,200 HKD/month/adult and 600 HKD/month/child for rent, manifestly low for Hong Kong's property market. It does not include deposit, agency fees or furniture and is not adjusted to inflation.**

- 2.4.** For a city with one of the highest real estate costs in the world and notorious property speculation, the rental allowance amount is far too low to ensure access to affordable, habitable, accessible, culturally appropriate, legally secure and physically safe housing. Even most sub-divided flats cost at least 1,500 HKD. Moreover, this amount does not always cover utilities, deposits or agency fees or furniture, causing recipients to often have to resort to borrowing money from friends or asking for help from civil society groups and faith-based organisations. The allowance is transferred directly to the landlord, which can lead to exploitation and abuse if there is no adequate supervision and responsiveness from social workers to conflict resolution needs the tenants may have.

- 2.5.** With such low levels of assistance, many recipients are forced to live in remote and sometimes dangerous areas of the city, often isolated and far from the services they need. Many must resort to housing with poor physical accessibility and little security, space or privacy, causing difficulties for persons with disabilities, children, older persons and other vulnerable groups. Many forms of accommodation have substandard infrastructure that pose health and safety hazards (such as dangerous electrical wiring, poor water and sanitation, or inadequate locks, for example). There are some reports of precarious, informal settlements and new arrivals are particularly prone to homelessness until they are able to be referred for assistance.

**FOOD: Protection claimants receive food in-kind equivalent to 1,000 HKD/month. It is chosen from a shopping list and distributed every 10 days at various pick-up points. The food is of inadequate quantity and quality and difficult to store and transport.**

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<sup>8</sup> Jah Ying Chung, "Struggles in the Shadow : Welfare Challenges for Asylum-Seekers in Hong Kong", Civic Exchange, September 2009, Figure 2, p. 19, [http://www.civicexchange.org/eng/upload/files/200909\\_JYChung.pdf](http://www.civicexchange.org/eng/upload/files/200909_JYChung.pdf)

<sup>9</sup> Moy, Patsy, "Immigration Chief Gives Sri Lankan Refugee Temporary Right to Work in HK", South China Morning Post, 16 April, 2013, <http://www.scmp.com/news/hongkong/article/1215575/immigration-chief-gives-sri-lankan-refugee-temporary-right-work-hk>

**2.6.** When divided by thirty days per month and three meals per day, the assistance amount comes to the equivalent of a mere 11 HKD per meal. Moreover, because food is given in-kind, protection claimants have no control to purchase items at market prices where they best see fit; many recipients have found that the pricing of items in the in-kind programme is questionable and similar items can be bought for cheaper in stores.

**2.7.** Because of the low frequency of pick-up times, it is often difficult to transport items 10 days of items back to the recipient's home using the cheapest route, particularly for large families with a large amount of food items. We have received complaints from some recipients about the quality, diversity and freshness of products, as well as incidents of items that were near to their expiration date. We understand that the pick-up frequency will change to five times per month starting in August 2013, but this will compound problems for those who have difficulties with transportation, which must also be addressed. Lastly, recipients often do not have the cooking and storage utensils needed to prepare the food, such as a refrigerator, pots and pans, or cutlery or furniture which are not covered in the assistance package.

**EDUCATION: Protection claimants under the age of 18 can enrol in school and have their tuition waived and receive financial assistance on a case-by-case basis, but there are procedural and communication difficulties and few opportunities for adults.**

**2.8.** The financial assistance provided by the Student Financial Assistance Agency (SFAA) does not include school supplies, uniforms or fees for school activities. Additionally, assistance by SFAA tends to arrive later in the school year, not at the beginning when up-front costs are significant. Some children must go to schools that are located far from where they live, spending hours each day to commute. While a transportation allowance is given to cover the child's commute, none is granted for parents should they seek to accompany their children. Language barriers and cultural differences can also make communication between teachers and parents difficult. While many protection claimants are very happy with their children's school experience and ability to access education, some report concerns that their children feel uncomfortable or discriminated against in school, making integration a challenge.

**2.9.** Although protection claimants feel very strongly that education is an important tool for their future, adults are not eligible to enrol in government-run vocational training courses, to volunteer or to have access to the public education system if they are above the age of eighteen, even if a sponsor is willing to cover their costs.

**HEALTHCARE: Protection claimants can access emergency medical care, public hospitals or outpatient clinics by medical waiver and specialist units by referral, but medical staff are not always familiar with recognizance papers and there are long wait times.**

**2.10.** In order for patients to communicate with medical staff, they often need access to interpreter services, although this is not always available for every language, leading to misunderstandings about the services available and possible information gaps about their medical condition.

**2.11.** Sometimes, patients have encountered that staff within the public healthcare system are not familiar with waiver procedures and recognizance documents, asking protection claimants for a Hong Kong ID card, which they are not entitled to have. In some cases, protection claimants have felt that they have been discriminated against and do not know how to seek redress.

**2.12.** Clients have reported long waiting times, particularly for specialized healthcare appointments, and persons with complex medical issues do not always have their needs met. Access to affordable dental care is also problematic. Moreover, access to psychological counseling is difficult, yet crucial for this population, many of whom struggle to cope with the trauma they experienced in their countries of origin and depression from the futility of their existence in Hong Kong.

**IMPACT: The current humanitarian assistance program and approach has cumulative negative consequences on protection claimants' physical and mental health, ability to make their claims, personal autonomy and sense of dignity.**

**2.13.** Protection claimants are faced with an intolerable situation. They often remain in Hong Kong for years during the determination of their cases and even after the successful outcome of their cases due to factors out of their control. Meanwhile, they must rely on a welfare assistance package that is too low to meet their basic needs and which does not give them any form of cash, while at the same time are legally barred from working. Current policy and practice essentially forces them into a protracted situation of poverty and precariousness. Moreover, the inability to have one's most basic human needs met may bear a negative impact on the torture or refugee adjudication process.

**2.14.** Due to current policies, protection claimants, who have experienced traumatic events in their countries of origin (and must also grapple with the uncertainty and stress inherent in the protection claim process), often feel they have a lack of choice and personal agency over their lives. Without the right to work, tertiary education or government-subsidised vocational training, they have difficulty interacting with the local population and contributing back to society, exacerbating their social exclusion. The lack of opportunities available to them to use their time meaningfully and productively fuels low self-esteem, disempowerment and hopelessness and a deterioration in mental health. They may be more prone to turning to negative coping mechanisms. Furthermore, gaps in employment due to the time taken for the claim determination process can be a hiring stigma if they are eventually resettled.

## **3. Follow-Up Questions to the Administration**

**3.1.** How is the monthly housing assistance amount determined and with what periodicity is it updated to adjust to inflation? Given Hong Kong's expensive property market, what factors does the government take into consideration in determining its calculations?

**3.2.** What measures does the government take to ensure that housing assistance provided to beneficiaries covers the totality of housing costs necessary to secure housing, such as deposits, property agency commission fees, utilities and furniture?

**3.3.** What is the government doing to combat homelessness and housing insecurity among the protection claimant population? Can the government provide details about how it supervises and monitors protection claimants' housing situations to ensure that they are living in habitable conditions?

- 3.4.** How does the housing assistance take into consideration the needs of particular vulnerable groups within the protection claimant population, such as: unaccompanied minors, persons with disabilities, single-parent families, persons experiencing trauma, single women, among others?
- 3.5.** How does the government, through ISS, take action in the case of disputes with landlords? What procedures are in place for conflict resolution? What documents are required of the landlord? How many beneficiaries on average are assigned to each ISS case worker at a time?
- 3.6.** The welfare provisions given to protection claimants are in-kind forms of assistance, yet social security assistance provided to other vulnerable groups in Hong Kong is granted in the form of cash assistance. Have all reasonable alternatives been fully explored, and if so, what is the justification for providing in-kind assistance over other options, such as vouchers or cash transfers?
- 3.7.** How does the government ensure that food stock options are sufficiently adapted to the corresponding medical and dietary needs, as well as the cultural and religious practices of the recipient population? How often is the grocery list reviewed? What kind of quality control procedures are in place to ensure that food is safe and suitable for consumption, and what sort of oversight mechanisms exist to regulate contracted food suppliers and monitor food pricing, distribution and collection?
- 3.8.** Does the government have a formal complaint mechanism for the ASTC programme for recipients to voice any grievances that they may have? If not, what is the rationale? If so, what is the timeline and process for response? How are concerns addressed and incorporated into changes in policy? How frequently are complaint mechanisms employed? Do recipients feel like they can freely approach and make use of these mechanisms without facing negative consequences?
- 3.9.** Can the government provide further clarification on the training it provides to frontline workers, medical staff and civil servants regarding a) human rights b) diversity and cultural awareness c) protection claimants' legal status and policies in Hong Kong, including recognizance papers?
- 3.10.** Have the government and ISS opened up opportunities for participation and consultation with beneficiaries so that protection claimants may be included in all stages of the policy cycle, including design, implementation, monitoring and evaluation?
- 3.11.** How are protection claimants' interpretation needs being met to ensure they are able to communicate with frontline workers, adequately served under the ASTC programme, and can be consulted and voice grievances without facing language barriers?
- 3.12.** Can the government provide more details on the accountability mechanisms that are in place between the Social Welfare Department and ISS? Has there been any sort of independent audit of the ASTC programme? If so, is this available to the public? Can the government provide further information about how ISS and the SWD operate and interact, their terms of agreement and annual performance statistics?
- 3.13.** At the Panel on Security on July 2, 2013, it was announced that the government had allotted 203 million HKD in humanitarian assistance for the 2013/2014 fiscal year. Can the government provide more detailed information about this allocation, including budget line items? What opportunity will the government provide to participate in the process of designing the 2014/2015 budget?
- 3.14.** How does the ASTC programme provide information, in advance, to protection claimants about how to take the cheapest route prior to them taking their trips? As reimbursement is given retroactively on a

periodic basis, what options are available to claimants who do not have sufficient cash to afford the costs up-front, even if they will be reimbursed later?

- 3.15.** Can the government clarify the welfare assistance situation of persons who are rejected CAT claimants and/or rejected UNHCR claimants but who wish to file a CIDTP or persecution claim under the USM? What policies are in place to respond to the transition? How is the Social Welfare Department coordinating with the Security Bureau in the development of the USM? Will there be an opportunity for a meeting between these and other government departments, civil society and protection claimants to voice concerns and provide input?
- 3.16.** Is the government actively considering revising the immigration legislation that prevents protection claimants from enjoying the right to work by lawfully undertaking employment or voluntary work? Can the government provide a reasonable justification, with empirical evidence for its current policy?

## 4. Ways Forward to Improve the Situation

- 4.1.** **Increase assistance levels to meet the costs of living:** The welfare assistance amounts are manifestly low, and should be increased to reflect the actual costs of living in Hong Kong. The method of calculation should be reasonable, transparent and based on objective criteria, allowing protection claimants to have a dignified stay in Hong Kong. There must also be a mechanism to annually adjust the assistance to changes in inflation so as to ensure that protection claimants' real purchasing power does not backslide over time, as is currently the case.
- 4.2.** **Move from in-kind assistance to cash-based transfers:** Cash-based interventions would be particularly helpful for allowing protection claimants to meet their transportation needs more flexibly, give them the ability to find the best quality food at the best price and would greatly reduce overhead costs currently employed to administer in-kind assistance. Cash transfers would be more efficient and would empower recipients because they would be able to spend money where their self-identified greatest needs are, giving them more dignity in the process. There are examples of similar successful programs employed in other jurisdictions.
- 4.3.** **Allow protection claimants to be self-reliant:** If given a choice, protection claimants would prefer not to be dependent. The government should grant more access to livelihood opportunities, such as vocational training and the right to work and self-employment. This would benefit both Hong Kong as well as protection claimants for several practical reasons. Protection claimants would experience better health and place less demand on the Hong Kong health care system. They would be less reliant on welfare assistance, would be able to contribute their skills to the local economy (particularly much needed interpretation services), and their income would factor into the tax base. Illegal activities, labour abuse and exploitation that are inherent in the underground economy would be deterred by having access to the formal labour market. Many other jurisdictions allow this for asylum-seekers if a certain amount of time passes before their claim is determined, and these have not experienced "floodgates".<sup>10</sup>

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<sup>10</sup> For example, in the United Kingdom, Germany, and South Korea, asylum seekers can pursue employment if one year has passed since the filing of their protection claim. In the United States, asylum seekers can apply for employment authorization after 150 days have elapsed



On the contrary, asylum-seekers often end up working in jobs that require their particular cultural or linguistic knowledge, or that local residents refuse to take anyway.

- 4.4. Improve training of frontline workers and create more public awareness:** Frontline workers, medical staff and public servants should receive training on a) human rights, diversity and cultural sensitivity b) non-refoulement law and welfare assistance schemes through the ASTC programme and c) how to meet the needs of persons who are vulnerable, including those experiencing post-traumatic stress disorder. The government should also proactively create specific campaigns and produce informative materials to generate awareness among the public, fostering tolerance towards protection claimants.
- 4.5. Improve and increase accountability mechanisms and participation avenues:** The transportation, food, housing, healthcare and education support areas under the ASTC should have meaningful and responsive complaints mechanisms available to recipients. The government must establish/strengthen robust oversight mechanisms in the welfare provision process. The government should also open participation channels for beneficiaries to voice their concerns and give feedback at all stages in the policy cycle, including: design, implementation, monitoring and evaluation.
- 4.6. Move from “preventing destitution” to “ensuring dignity” and collaborating with civil society organizations:** Welfare assistance has been largely designed as a temporary provision to merely keep recipients from destitution, but the reality is that it often takes several years before claims are resolved. This reality must be acknowledged and policy must be changed to reflect it. We call on the government to adopt a human-rights based approach to ensure that everyone can enjoy their basic socioeconomic rights without discrimination. Moving forward, we urge the government to continue to create avenues for participation with civil society, service providers, the legal community, academics and advocates who have a wealth of expertise in the area of human rights and refugee law, and most importantly, with protection claimants themselves.

**We would be more than happy to provide more information and follow-up research to elaborate on these policy recommendations, given more advance notice in order to prepare. We look forward to continued dialogue.**

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since the filing of their asylum application and no decision has been made on their application. Denmark allows asylum seekers to work provided that 6 months have elapsed since the filing of their claim and certain procedural requirements are met. Canada allows asylum seekers to obtain a work permit, if they can show that they will have to receive social assistance if they cannot work.

# About the Organisations:

**Hong Kong Refugee Advice Centre (HKRAC):** HKRAC is a non-profit, human rights organisation that advocating for refugees in Hong Kong. HKRAC is the only NGO dedicated to the provision of high-quality free legal services to refugees applying for international protection from the United Nations High Commissioner for Refugees (UNHCR) in Hong Kong. HKRAC works to ensure that the asylum application process is fair, that the decision is accurate and that basic human rights are upheld. Since its establishment in 2007, HKRAC has provided life-changing legal services to over 1,400 refugee men, women and children.

**Christian Action:** Christian Action is a registered non-profit, non-government organization. Founded by the late Reverend Karl Stumpf in the early 1950s to provide assistance to refugees, we became an independent agency in 1985 serving mainly the Vietnamese boat people. In 1994 the name of our agency changed to Christian Action to encompass the wider scope of our work. Our aim is to promote the welfare of the poor and disadvantaged with particular emphasis upon displaced persons, irrespective of race, gender, religion or nationality. We do this through education, vocational training, health and social services, recreation and other appropriate means. Christian Action's Chungking Mansions Service Centre (CA-CKMSC) is the only drop-in centre for protection claimants in Hong Kong. Since 2004 CA-CKMSC has aimed to fill gaps in social welfare service provision by offering much-needed humanitarian assistance to vulnerable refugees and asylum seekers.

**Refugee Concern Network (RCN):** The RCN is a diverse coalition of front-line service providers, non-governmental organizations, faith-based organizations, academics, and human rights lawyers and advocates unified by one single purpose: to support those seeking protection in Hong Kong and advocate for their rights. With over a decade in existence, RCN works closely with refugees, asylum seekers, and protection claimants to ensure their needs and basic human rights are being met. RCN members work in close collaboration and complement each other's' services to ensure that our beneficiaries receive the best possible support. In this spirit of cooperation, RCN also lobbies and advocates for improving the quality of life for asylum seekers, refugees, and torture claimants in Hong Kong.

**The Vine Community Services Limited (a part of the ministry of the Vine Church):** The Vine Community Services Limited (VCSL) is a non-profit that works as a beacon of hope to the most overlooked, ignored and vulnerable in our society. Refugees and asylum seekers (RAS) are not allowed to work in Hong Kong; they have to rely on handouts. VCSL supports 250+ RAS, mainly from Africa and Southeast Asia, and works to equip, educate and empower individuals and families to become positive and contributing members of the community. Through tailor-made relief and advocacy work, VCSL restores physical and psychological brokenness for RAS to ensure that they can be successfully integrated back into society.

**Amnesty International Hong Kong (AIHK):** Amnesty International Hong Kong (AIHK) is part of Amnesty International, a global human rights movement first founded in 1961. Independent, impartial and autonomous, we are committed to campaigning for the protection of human rights of every human being as guaranteed under the Universal Declaration of Human Rights, without discrimination. The rights of refugees, asylum seekers, torture claimants and peoples on the move in Hong Kong is one of the major human rights issues that we focus on, through research, advocacy, campaigns and human rights education, As an active member of the civil society of Hong Kong, AIHK works towards a fair, transparent, efficient and human rights-based system that adequately meets the protection needs of all in Hong Kong in accordance with international standards.

# In their own words: protection claimants speak about the issues

## Is the number of food choices sufficient to meet your needs?

"The food is not fresh, I need **better quality** food."

## Can you give examples of when you had difficulties with the food collection, if any?

"The food was **too heavy** to carry for a six person family."

"Carrying food in the bus is **very difficult**."

## What do you think could be improved about the food collection?

"Give us **more choice** or give us money to buy for ourselves."

## Have you experienced any problems in your current house?

"The flat is very small, I can only bath and sleep in there. **There are no windows**."

## What do you think about the area of Hong Kong where you live now?

"I do not have any choice. I keep moving to look for a **cheap house**."

"There is **no suitable place** in Hong Kong within our budget."

## Have you experienced any problems in your community?

"The neighbourhood is quite noisy and only **1 toilet for 9 people**."

## Is there anything else that you think could be improved about your living arrangement?

"We don't know the system, we don't know our rights, what can I do? Can I change my case worker?"

## What are the challenges with the housing support and how do they affect your daily life?

"I am **obliged to live far from the city** and stay there because I have no transport money"

"Housing is a **burden** to me, waiting every day for the rent to go up. **I am afraid**."

"I am **just a beggar**."

## Was it easy or difficult to get a medical waiver? Please explain.

"It is difficult because we **need to prove many things**. Doctors are sometimes unwilling to give documents since we **do not have a HK ID card**."

## What other difficulties have you encountered when seeking medical care?

"I **cannot afford** to be sick in Hong Kong."

## How did you enrol your children in school? Were there any obstacles?

"My child has been **waiting for one year** already but her application has not yet been approved."

## Do you consider education and training to be an important tool in preparing you for the future? How so?

"**Life is education**."

"It can **prepare me** to work after resettlement."

"Education is important to **give back** to society."

## What are the positive aspects of being in Hong Kong?

"**No fear of death** and I have peace."

"**Security, liberty and freedom**."

## For parents, how has seeking protection affected your family life and the development of your children?

"**I cannot always give what my kids ask of me**. I do not see a future for my children."

"I **miss my children** [in the country of origin] a lot."

## What are your hopes and dreams for the future?

"I hope to be in a place where I can **make a space for myself**."

"I hope to be **able to take care of my family**."

"My hope is to be able **to get my rights**, either in Hong Kong or elsewhere."