

24th July, 2017

Subcommittee on Children's Rights

"Rights of Refugee Children"

Submission

Under the basic human rights- every child has the right to be protected, the right to live, the right for education and the right for basic needs. These fundamentals are the basic rights of all children including refugee children.

1. Self-Identity

- Does the child have any self-identity who is born in Hong Kong?
- Like other countries why are refugee children not given any self-identity when they are born in Hong Kong?
- Refugee Hong Kong born children have no identity

2. Education / School-based child development programs

- School allocations: some schools do not accept refugee children as they find the handling process complicated.
- Parents are unaware of Student Financial Assistance Scheme from SFO.
- School fee subsidies, School-related expenses (text books, uniform, school bag, stationary). Parents are not able to afford their child's schooling expenses due to limited financial support. SFO takes at least two to six months to process the application, like other permanent resident parents, refugee parents cannot pay for school expenses in advance and reimburse later.
- Refugee children compare themselves with other children and found themselves deprived as well as prejudice.

3. Basic Hygienic amenities

- All children's basic needs are the same. However, only some families are eligible to apply for baby diapers, wipes and toiletry assistance.
- Parents are not able to buy baby diapers and daily hygienic amenities.

4. Essential traditional food

- Food E-card which is issued by ISS can only be used in super markets such as ParknShop, Taste, Fusion, which is comparatively expensive and can't fulfill the requirement of traditional and cultural food of claimants.
- Small grocery shops (Chinese and Non-Chinese) have the greater provision of such grocery relatively on reasonable price.

5. Basic living & growing needs (Clothing/ toys/ entertainment)

- Refugee children are offered second-hand clothes (disregarding quality and sizes).
- Parents cannot buy seasonal clothes, bedding (blankets, pillows & bed sheets) and basic toys for children.
- Child development is at risk.

6. Living space (rent)

- Children accommodation assistance is HK\$750, whereas HK\$1,500 for adults.
- Hong Kong property prices are sky high, families are not able to afford high rents for the premises. Mostly, families need to share a unit with another family to share the rent and utility bills.
- Living space is limited and unhygienic for children.

7. Fair treatment at schools & community

- Refugee children are looked down in the school and in the community
- Different treatments in the community

Suggestions for improvement on living condition of Refugee children:

Education:

- Schools should be informed regarding the obstacle being faced by Refugee children.
- Special subsidy on books and travelling should be provided.
- Extra tutorial classes can be provided to refugee children to make sure that refugee children are equally grasping education and obtaining all necessary facilities in order to fulfill balance growth.

Basic needs:

- There should be provision of all necessary elements for kids especially for infants to grow hygienically which at least includes diapers, wipes etc. However, it seems like it has been totally ignored by responsible organizations or departments.
- All family members should have subsidies to buy their clothes at least twice in a year in accordance to winter and summer seasons. Though, the financial aid is being provided but not all of the basic necessities have been considered yet which should be offered to lead at least an ordinary life.

Declaration of the Rights of the Child

Proclaimed by General Assembly resolution 1386(XIV) of 20 November 1959

Whereas the peoples of the United Nations have, in the Charter, reaffirmed their faith in fundamental human rights and in the dignity and worth of the human person, and have determined to promote social progress and better standards of life in larger freedom,

Whereas the United Nations has, in the Universal Declaration of Human Rights, proclaimed that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Whereas the child, by reason of his physical and mental immaturity, needs special safeguards and care, including appropriate legal protection, before as well as after birth,

Whereas the need for such special safeguards has been stated in the Geneva Declaration of the Rights of the Child of 1924, and recognized in the Universal Declaration of Human Rights and in the statutes of specialized agencies and international organizations concerned with the welfare of children,

Whereas mankind owes to the child the best it has to give,

Now therefore,

The General Assembly

Proclaims this Declaration of the Rights of the Child to the end that he may have a happy childhood and enjoy for his own good and for the good of society the rights and freedoms herein set forth, and calls upon parents, upon men and women as individuals, and upon voluntary organizations, local authorities and national Governments to recognize these rights and strive for their observance by legislative and other measures progressively taken in accordance with the following principles:

Principle 1

The child shall enjoy all the rights set forth in this Declaration. Every child, without any exception whatsoever, shall be entitled to these rights, without distinction or discrimination on

account of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, whether of himself or of his family.

Principle 2

The child shall enjoy special protection, and shall be given opportunities and facilities, by law and by other means, to enable him to develop physically, mentally, morally, spiritually and socially in a healthy and normal manner and in conditions of freedom and dignity. In the enactment of laws for this purpose, the best interests of the child shall be the paramount consideration.

Principle 3

The child shall be entitled from his birth to a name and a nationality.

Principle 4

The child shall enjoy the benefits of social security. He shall be entitled to grow and develop in health; to this end, special care and protection shall be provided both to him and to his mother, including adequate pre-natal and post-natal care. The child shall have the right to adequate nutrition, housing, recreation and medical services.

Principle 5

The child who is physically, mentally or socially handicapped shall be given the special treatment, education and care required by his particular condition.

Principle 6

The child, for the full and harmonious development of his personality, needs love and understanding. He shall, wherever possible, grow up in the care and under the responsibility of his parents, and, in any case, in an atmosphere of affection and of moral and material security; a child of tender years shall not, save in exceptional circumstances, be separated from his mother. Society and the public authorities shall have the duty to extend particular care to children without a family and to those without adequate means of support. Payment of State and other assistance towards the maintenance of children of large families is desirable.

Principle 7

The child is entitled to receive education, which shall be free and compulsory, at least in the elementary stages. He shall be given an education which will promote his general culture and

enable him, on a basis of equal opportunity, to develop his abilities, his individual judgement, and his sense of moral and social responsibility, and to become a useful member of society.

The best interests of the child shall be the guiding principle of those responsible for his education and guidance; that responsibility lies in the first place with his parents.

The child shall have full opportunity for play and recreation, which should be directed to the same purposes as education; society and the public authorities shall endeavour to promote the enjoyment of this right.

Principle 8

The child shall in all circumstances be among the first to receive protection and relief.

Principle 9

The child shall be protected against all forms of neglect, cruelty and exploitation. He shall not be the subject of traffic, in any form.

The child shall not be admitted to employment before an appropriate minimum age; he shall in no case be caused or permitted to engage in any occupation or employment which would prejudice his health or education, or interfere with his physical, mental or moral development.

Principle 10

The child shall be protected from practices which may foster racial, religious and any other form of discrimination. He shall be brought up in a spirit of understanding, tolerance, friendship among peoples, peace and universal brotherhood, and in full consciousness that his energy and talents should be devoted to the service of his fellow men.