

[投稿論文：実践報告]

Comparison of Support for Refugees from Private and Public Organizations in Hong Kong

The Role of the Intimate Sphere in Support for Refugees

香港の民間団体と公的団体による難民支援の比較
難民支援における親密圏の役割

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Abstract: The author did the internship to support refugees in Hong Kong. Based on the internship experience, this paper compares private organizations that attempt to form the intimate sphere and public organizations that are required to care everyone. Considering limitation of both entities due to resource limitations and social demand, it is suggested that they should collaborate to sustain an intimate sphere, which can be converted to counter the public sphere, in private organizations.

筆者はインターンとして香港で難民支援を行なった。そこでの実態を通して、難民支援の文脈で親密圏を創出しようとする民間団体と難民全員のケアが要請される公的団体による支援を比較した。リソースと社会的要請による双方の限界により、民間団体で親密圏を維持し対抗的公共圏を形成するために両者の協力が必要である。

Keywords: Hong Kong, refugees, asylum seekers, intimate sphere

香港、難民、庇護申請者、親密圏

1 Introduction

According to the United Nations High Commissioner for Refugees (UNHCR), refugees are generally defined by the Convention on the Status of Refugees in 1951, as people 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 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 to it".¹⁾

Public protection systems for refugees²⁾ are established in many developed countries. However, there are some cases in which these systems do not function well in an area or a country where the government is not actively accepting refugees. Hong Kong Special Administrative Region of the People's Republic of China is one of these areas with problems in accepting refugees, and is particularly focused in this paper.

There are many asylum applicants in Hong Kong, but it seems very difficult for them to acquire refugee status. According to the Immigration Department of the Hong Kong government, 3838 torture and non-refoulement claims were submitted in 2016. There were 8205 applicants waiting to be admitted at the end of June 2017, and many of them have been waiting for the results for many years. Despite a large number of applicants, only 99 people were recognized as refugees by the Hong Kong Immigration Department between the end of 2009 and July 2017 when the new screening system USM (Unified Screening Mechanism for claims for non-refoulement protection) was introduced. Lai & Kennedy (2017, p. 206) describes it by stating, "there is a deliberate policy of not settling refugees, irrespective of the validity of their claims, and where minimal support is provided for claimants waiting to have their claims assessed".

Although there is an insufficient academic discussion on this issue as illustrated later, some newspapers have described the current situation of refugee policy and people's perspective towards the refugees in Hong Kong. For example, South China Morning Post published on December 23rd, 2017 said "pro-Beijing lawmakers have lobbied against so-called "fake refugees", whom they accuse of abusing the system" and "Public opinion on refugees

and asylum seekers is often negative in Hong Kong” to inform the readers about the disregard refugees in Hong Kong. The South China Morning Post published on February 28th, 2016 also said that many asylum seekers were arrested by theft and illegal work. It reflects the economic difficulty of the asylum seekers due to a lack of support as explained later. The author observed many kinds of problems during the internship concerning things, such as housing, educational, and language issues. Housing issues are particularly severe because of the increasing cost of house rent in Hong Kong and a small amount of support. Many asylum seekers live in tiny rooms without air-conditioners and some people are forced to live on streets.

In short, Hong Kong has not shown positive attitudes towards incoming refugees. This attitude is also reflected in the public support for refugees as described later. In areas where such public institutions are not active in accepting refugees, private institutions may play another important role as different stakeholders. These areas can be understood as an intimate sphere, a space allowing people to be considered as an irreplaceable individual as Saito (2000) defines.

This situation is caused by the characteristics of public institutions and private institutions rather than individual differences among institutions. Public institutions just provide limited uniform support, but private institutions provide more than that by forming the intimate sphere. This study clarifies the features of public institutions and private organizations in Hong Kong’s refugee³⁾ support by comparing them with the notion of the intimate sphere.

This paper does not critique the presence of public support or lack thereof without any realistic solutions. Although that is one of the main issues about refugees not only in Hong Kong, this paper attempts to critically assess the concrete function of the intimate sphere, which emphasizes individual needs and can be converted into the counter public sphere (Fraser, 1997).

After describing the author’s research field in section 2, section 3

explains the features of public institutions. Pursuing of impersonality and publicness as a public institutions explains about the current situation that the Hong Kong government is not affirmative to provide individual support. It can assure only needs that can be translated into rights and provide only service that is equal and uniform for everyone.

Section 4 analyzes a private institution that attempts to create an intimate sphere. Although intimate relation in modern family is recently criticized, there is a reevaluation of the context, as Gilligan (1982) points out, by focusing on care relationship and fundamental support for life. In this trend, intimate care, though having been regarded as a role of family or other intimate relationship, is redefined as a fundamental right that should be provided by public institutions (Fineman, 2004). From this point of view, this section shows how private institutions have tried to form an intimate sphere for their individual needs.

Section 5 concludes the importance of cooperation between the two supporting mechanisms with the perspective keeping distant from discussing the context of refugee support only. Previous sections discuss only in the context of supporting them. The sphere that refugees can have is limited and does not extend into the general society of Hong Kong since their entity is not known to the general public. Thus, the intimate sphere should be stable since it can be a gateway to the public sphere.

This is why this research focuses on refugee support and their limited social space. In this sense, analyzing refugee support is to analyze the space where refugees live and re-analyze the entity for refugees. This study aims to explain about the needs of intimate sphere and cooperation of public and private organizations.

2 Research Topic and Methodology

2.1 Research Topic and Its Importance

For the reasons stated in the previous section, this paper analyzes what

private bodies, compared with the public system, can do, and discusses the relationship between public and private support.

Despite many papers on refugees in Hong Kong published before 2010, there is not sufficient scholarly attention to recent asylum seekers. Furthermore, a few scholars discussing the current situation, including Jones (2009) and Lai & Kennedy (2017), never mention actual support for them from various sectors. This report attempts to clarify how several types of agencies are working to support them in Asian regions typically associated with negativity about receiving refugees.

It is crucial to assess how refugees are positioned in the system, that is how they are defined in the public sphere. However, the intimate sphere beyond the institution is also critical for them to counter the society as a minority (Hooks, 1990). Nevertheless, refugees have not been studied in this context so far. It is not researched even in Hong Kong, where both kinds of support exist and the contrast is particularly pronounced. This research will be noteworthy in analyzing refugee support in the context of an intimate sphere through an actual example of support.

2.2 Methodology

The author had an opportunity to work as an intern at Christian Action, a Hong Kong NGO that supports minorities. It was an unpaid internship and the author worked for 8 hours a day for 5 days a week from July 10 to August 17. He consulted with asylum seekers about their daily life and held the summer camp for their children.

Christian Action was founded in 1985, and since then, it has supported every kind of minorities, including refugees, domestic workers and minority children born in Hong Kong. There are about 500 full-time staff workers, along with interns and volunteers, in the organization. Centre for Refugees is located at Chongqing Mansion in Tsim Sha Tsui and the author worked there as a trainee from The University of Hong Kong. According to the

website of Christian Action (Accessed on August 4, 2017), CFR is the only center providing comprehensive refugee support from meal to third country resettlement. The author was mainly in charge of administrative tasks, such as database management and operation of summer school for refugee children.

The author took advantage of this opportunity to conduct observational surveys and interviews on the current state of support for the refugees from public and private organizations in Hong Kong. The author interviewed caseworkers at the center that cares for “clients”, which supporters generally call the refugees visiting their centers or using their aid.

There are two significances to choose the caseworkers for interviewees. First, considering the privacy of clients, formal and direct interview with them should be avoided. Many clients are escaping from home country for political reasons and many of them have hesitated to speak about themselves in public. Therefore, it appears that interviewing caseworkers with knowledge about the refugees is ideal. Second, it may have involved bias in the survey to listen to a specific client, when there are various circumstances and people from various origins. Therefore, it is important to hear about the overall trend from caseworkers that know many cases.

The details of the interviewer’s caseworkers are as follows (See Table 1). Interviews of A, B, C, D were held on August 10th and those of E, F, G, H were held on August 11th. All interviews were conducted in the office of Centre for Refugees. Those interviews were semi-structured to ask the current situation of public and private support for refugees and differences between them.

3 The Problem of Public Support

3.1 Structure of Public Institutions

The Immigration Department of the Hong Kong government determines the legal status of refugees and the Social Welfare Department (SWD)

Table 1 Details of caseworkers (Created by the author)

	Race and Nationality	Gender	Note
A	Philippian	F	She is a manager of Centre for Refugees. She previously worked at the ISA. She speaks English and cannot speak Cantonese well.
B	Indian Hong Konger	M	He speaks English, Tamil, and Cantonese. He was born in Hong Kong and is not a refugee child.
C	Nepali	M	He previously worked at ISA. He speaks English and Nepali.
D	Rwandan	M	He is a rare example of being a refugee accredited in Hong Kong and receiving a work permission. He speaks English, French, some African regional languages.
E	Swiss	M	They speak English, French. They have been dispatched from NGOs in Switzerland, a partner of Christian Action, for about 1.5 years.
F	Swiss	M	
G	Swiss	F	
H	Chinese Hong Konger	F	She speaks English, Cantonese and Mandarin. She is a common ethnicity in Hong Kong as a Han and graduated from a university in Hong Kong, which is seldom as a caseworker for refugees in the center.

provides them with public support based on the determined legal status. The SWD outsources the support for various minorities to Hong Kong Branch of the International Social Service (ISS), which is a private NGO funded by the Hong Kong government. Consequently, specific support is provided by the ISS, but the policy is determined by the SWD, and the premise of the support is decided by the immigration office.

ISS itself is a private institution, but with regard to refugee support, it is fully supported by SWD and can be regarded as a semi-public institution. ISS uniformly provides financial support for housing and daily necessities: 1200 HKD food coupons per month that can be used in specific supermarkets and 1500 HKD for life support per adult. Interviewee A criticized that these grants are paid to all refugees without considering individual circumstances.

Many issues are pointed out in such assistance ⁴⁾ by the interviewed caseworkers. This paper focuses on the uniformity of support and lack of

cooperative relationship with other organizations — the problems caused by the nature of public sectors.

3.2 Uniform Support

Firstly, public support is extremely homogeneous and cannot deal with individual circumstances. As described above, ISS provides to all refugees and asylum applicants with the grants under the same scheme without consideration of individual differences, and in principle, there is no individual consideration on (A) the timing, (B) the amount of money, and (C) the method.

A. Timing

In terms of timing, refugees cannot receive assistance unless they receive “Recognition Paper” at the Immigration Department nor can reserve counseling at ISS to register for assistance as Interviewee A says. Refugees seeking protection in Hong Kong usually enter the region with a visa that can be obtained at the arrival of the airport. In Hong Kong, as long as one has a valid visa he/she cannot apply for refugee status, so he/she must first wait for his/hers to expire and become the overstay status due to the regulation of the Immigration Department. Afterward, he/she has to finish procedures including the interview with the Immigration Department and ISS. Interviewee B said that a refugee may have to wait more than six months to finish all these procedures to get support. Interviewee D pointed out as a former refugee that it is not easy to live in Hong Kong, where the living cost is relatively high, for six months without any assistance and without any income to depend on.

B. Amount of Financial Aid

The amount is determined uniformly regardless of the family situation. Interviewee E knew some examples that the amount of money

does not change even in homes where there are children who need considerable transportation expenses and expenses for school supplies.

C. Method of Support

Moreover, the coupon cards can only be used in certain supermarkets. This narrows the range of items they can purchase with the cards. In addition, as noted earlier, there is basically only financial support, and soft support is limited. ISS provides counseling according to individual circumstances, but Interviewee C said, “In ISS there are too many refugees in charge of one caseworker, so they cannot respond individually”. For example, refugees must first search for a place of residence to receive housing assistance. “It is not easy to find a house without knowing the Cantonese language on a limited budget in Hong Kong”. Interviewee C said, but ISS does not aid them with the search for the residence itself.

3.3 Lack of Collaboration

Cooperative relations between public institutions and other private organizations have apparently not been cultivated. According to Interviewee A, ISS tends to act extremely “bureaucratic”, which implies that it basically works only with SWD. ISS tends not to promote further cooperation, for example, bridging other organizations and the clients. Therefore, refugees must find their own counselors if anything that cannot be solved by ISS occurs. For example, Interviewee G pointed out that when the clients want to find a school for their children, the ISS will not contact the educational authorities, so in principle, they will have to contact the school by themselves.

3.4 Support in Public Sphere

Although public support, not only refugee support, is sometimes limited

by nationality and social position in reality, it should cover all kinds of people from the perspective based on political philosophy. That is why it has publicness and impersonality. Those situations described are caused by these natures of public institutions whose jurisdiction cannot extend beyond the public sphere.

Caseworkers that previously worked for ISS (A and C) pointed out that “ISS must support all refugees as public institutions”. Nevertheless, the number of caseworkers is not enough, so the time when a caseworker can talk to a client becomes short and they may not remember each other. Interviewee A emphasized, “Because ISS relies on government subsidies, they do not work with institutions other than SWD who funds them. That makes them very close to the government and work bureaucratically which creates a boundary”.

These caseworkers also pointed out that ISS’s support can exclude needs that are difficult to translate into rights such as personal dignity and mental stability even though it covers all refugees who are regarded as a part of “public”. In this context, each refugee and caseworker are replaceable and has no personality. ISS is strongly willing to treat everyone the same. They work based on these kinds of rigid publicness and impersonality, and do not have the flexibility to cope with the individual context.

4 Characters of Support from Private Organizations

This section will describe how private institutions, such as NGOs, work for refugees’ problems in Hong Kong, taking Christian Action as an example. The manager of the center (Interviewee A) answered that it does not receive subsidies from the government regarding refugee support projects. It operates the center by donations and volunteers from companies and individuals. As a private institution, it can provide more individual, wide-ranging and one-stop support than public institutions with the public nature only to those selected by them. This individual care can be positioned in an intimate sphere as

work to form the community in which refugees and caseworkers attempt to treat each other as a unique individual. In fact, Interviewee A described relationships among clients and caseworkers are supposed to be like “family”. However, this intimate sphere is artificially created regardless of their cultural backgrounds and social positions, and they often confront have difficulties to maintain that sphere.

First of all, Christian Action realizes individual and extensive support by making full use of its characteristics as a private institution. While ISS cannot choose their clients and has to support all refugees as a public institution, Christian Action can choose clients on their own basis as a completely independent institution from any governmental agencies as Interviewee caseworker A pointed out. Therefore, it is possible for them to reduce the number of clients to be supported, and to provide support only for the refugees who really need it. For example, as a basic policy, they do not accept economic refugees. The number of people they support is much less than that of ISS, but individual and comprehensive services, including non-economic support that ISS cannot do, can be offered.

Christian Action aims to solve individual problems by providing various solutions in one place. For example, they offer classes of computers, languages such as Cantonese and English. Besides, psychological counseling and introduction of school, and so forth are carried out according to individual circumstances and language proficiency. Furthermore, they have succeeded in providing services as a one-stop center in cooperation with other organizations. For example, regarding legal matters, the center lends a place to Justice Centre Hong Kong, which offers professional lectures on legal issues for refugees. Thus, they try to tackle the situations through cooperation with other organizations redeeming the limited resource and the framework of collaboration is more flexible than public institutions.

As Interviewee B mentioned in Hong Kong Economic Journal (Walter, 2014), the place called Chongqing Mansions, where local Hong Kong

people often do not approach and the people with various nationalities and backgrounds gather, has become the place for them to avoid the public (and sometimes discriminatory) situations. Not only do the caseworkers provide assistance for the client, but also the community among the clients is formed at the center. Although the center has confronted difficulty in collecting in obtaining financial resources in order to continue their scheme, the reliance among the individuals brings out voluntary cooperation between refugees and various supporters for the operation of the center. They sometimes go beyond the mere caseworker-client relationship to build up trust. Interviewee C said, “it never happened in ISS that clients play the video game with caseworkers and voluntarily go to the airport in order to say goodbye to the leaving caseworkers like us”.

The center also regularly provides lunch and dinner under the support by local companies to promote interaction among clients. This intimacy helps them better understand each other and enables the center to find individual needs.

However, this intimate sphere is an artificial space that ignores differences of various backgrounds among people in the center and is completely different from the general intimate spheres such as friends and family. It is required to prevent fighting to keep that sphere, but it is not easy to do so in the place that has diverse people with different values. Thus, the center sometimes has to exclude some people from there in order to control the sphere. As Interviewee A and C implied, they sometimes must close the center and face difficulties in keeping their intimate sphere. In fact, the author observed an asylum seeker from the mainland of China being expelled from the center for fighting due to the center’s acceptability of Chinese mainlanders as clients.

5 Cooperation between Private and Public Supports for Refugees

As Kennedy (2014) states, refugees have problems with different

languages, accommodations, discriminatory and psychological stress, which is also true for Hong Kong. Therefore, it is absolutely necessary to share the intimate sphere with them, not only the institutional system.

According to the statistics of the Immigration Department in Hong Kong (2017), many South Asian such as Indian, Pakistan and Bangladesh nationals can be found when looking at applicants' nationality. Caseworkers adverted that although applicants from these three countries alone account for more than half of all applicants waiting for their status to be decided, Africans still accounted for 10% of the total, and there were also applications from people originating from the Middle East. Rwandans and Sri Lankans (14 people each) were the most accepted applicants, followed by Burundians, Cameroonians, and Egyptians. Thus, Hong Kong holds refugees speaking various languages from a vast array of countries.

Refugees in Hong Kong are not limited to a specific nationality or a small number of people, and diverse support is required for each case. The uniform support that ignores individual situations does not seem appropriate in Hong Kong. That is why individual care is needed by forming the intimate sphere.

However, without the governmental assistance, large-scale economic support cannot be provided. As the caseworker who used to work at the ISS (A, C) once said that "ISS salary is twice the amount of Christian Action", there is a big difference in financial strength between the two organizations. It supports refugees widely in terms of numbers under the principle of impersonality and publicness. Therefore, it is important that the government conducts basic support for refugees, and the private sector will do further individual support to share the intimate sphere and reinterpret them individually, so that both can complement each other's systems.

Meanwhile, in reality, both are extremely "administrative relationships". There is little information exchange and no database is shared even though Christian Action always asks to sign the agreement to share personal

information with the public institution to support them properly. Clients are forced to talk about the same tragedy story in two places. This situation should be addressed immediately by sharing information under the permission of refugees.

Not only the connection between private and public organizations but also the foundation of intimate care itself is weak. There are very few private refugee support organizations and all of them have a rather weak financial basis to continue their work. In fact, even Christian Action, the only center to support refugees comprehensively in Hong Kong, has never achieved the balance in the black since its establishment (Interviewee A). Meanwhile, Interviewee C pointed out that SWD is focusing on supporting legitimate residents of Hong Kong and has no incentive to devote more resources to refugees who are not regarded so. Moreover, many NGOs are dependent on the government subsidies as their primary source of income. Due to this lack of governmental support, NGOs dealing with refugees often struggle with financial difficulty even though they are an essential base of the intimate sphere.

However, the intimate sphere should be stable since it might convert to counter public sphere. Interviewee A emphasized that, as the government does not regard refugees as residents that can work, they are not included in public sphere outside the context of refugee support primarily since their entities are not known in Hong Kong society and the limit of linguistic resource for discussion (Saito, 2000). At the root of this situation, there is a low concern for refugees in Hong Kong as Interviewee B emphasized that it is important to raise Hong Kong people's interest in refugees through the counter public sphere that having been converted from an intimate sphere.

The public sphere is where different people connect with each other through common problems. Refugees have to be a common topic to make them accept in public sphere. Meanwhile, the foundation of the refugees' intimate sphere to counter the public sphere is still weak and it is difficult for

them to make a claim in the general public. Forming an intimate sphere in a foreign country is not easy work for refugees.

That is why private organizations such as Christian Action have to actively build intimate relationships that public institution cannot form under the collaboration with public institutions that should be supporting basic needs.

In fact, Christian Action started to form the counter public sphere by requesting the Immigration Department with their clients and supporters together as Interviewee H said in the interview. Christian Action makes it possible to enable their clients to approach public spheres by setting opportunities to interact and discuss with various Hong Kong people such as professors, students and working people. For example, they hold a political discussion day every Saturday with a professor at The City University of Hong Kong and Hong Kong citizens who are interested in the refugees. Caseworker D was a client of the center, but he was successful in getting a working visa as a staff of the center by active support from the community. According to interviews with Interviewee A and D, D was the first former asylum seeker who could get permission to work in Hong Kong. He could take a step to becoming a member of the public sphere through the power of the counter public sphere.

Until the vast majority of citizens recognize the refugees and accept them in the public sphere, it has to construct an intimate sphere in the context of refugee support intentionally. Although changing the refugee policy is required, it is not easily implemented before forming a public discussion on refugees. To achieve that, it might be a realistic solution to promote interaction between public and private organizations.

Endnotes

- 1) Article 1 (A)(2), 1951 Refugee Convention
- 2) In this paper, this term refers to the refugee-supporting institutions utilizing public funds.
- 3) This paper will not distinguish refugees and asylum applicants. Although the definition of refugees is supposed to be determined by international treaties, what kinds of persons are recognized as refugees can change due to the political situation in the region. In fact, the subject that judges who a refugee is or not was changed in Hong Kong. The Immigration Department of the government is currently conducting certification of refugee status in Hong Kong. Prior to the introduction of the USM, UNHCR had confirmed their position. Therefore, it is difficult to separate asylum applicants and refugees certified by the government, and particularly in Hong Kong, refugees and asylum seekers occupy almost the same position in the society in that neither often have been granted visa-free labor status. Hence, hereafter the term “refugee” in this paper includes both certified refugees and asylum seekers unless particularly mentioned.
- 4) The amount of these grants is not enough to live in Hong Kong, considering the expensive prices there. However, it is not a problem that can happen due to the characteristic of public institutions. This paper does not deal with it.

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{受付日 2018. 2. 21}
{採録日 2018. 8. 29}