From subsistence to resistance: Asylum-seekers and the other ‘Occupy’ in Hong Kong

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Abstract
In 2014, the Refugee Union - the only asylum-seeker-led organisation in Hong Kong - organised an eight-month-long protest against assistance policies and practices which they argued dehumanised and jeopardised their dignity and survival. Central to this public protest, termed ‘Refugee Occupy’, was the transformation of a traditional mechanism for asylum-seeker containment - the refugee camp - into a vehicle for asylum-seeker voice, participation and resistance. In this article, we discuss the asylum-seeker assistance policies and practices over the last decade that have resulted in a borderless refugee camp in Hong Kong. We explore the asylum-seekers’ use of the camp concept and its spatial and political transformation into an instrument for asylum-seeker resistance and political engagement. We conclude by situating the Refugee Union’s formation alongside other migrant-led social movements in Hong Kong and globally.

Key words
assistance, asylum-seeker, refugee, social movement, welfare

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Introduction

On 28 September 2014, Hong Kong was stunned by a display of dissatisfaction and anger erupting among tens of thousands of citizens who launched a civil disobedience campaign that challenged government apathy towards electoral reform (Hewitt, 2014). Encampments sprang up simultaneously in several districts and were held by people from across the class and pro-democracy political spectrum. In those frantic days, few recalled a far less celebrated, and for its size comparatively trivial, occupation that was organised by asylum-seekers and was voluntarily dismantled after holding its ground for over six months.

On a pedestrian footbridge in Central’s financial heart, on Hong Kong Island, a group of asylum-seekers calling themselves the Refugee Union staged such a remarkably long protest to draw attention to government policy and humanitarian assistance mechanisms, which they claimed harmed their dignity and liberty while enforcing their immiseration. The core of the protesters’ argument was explained in a letter in which asylum-seekers voiced concerns at how food rations were distributed (Refugee Union, 2014). However, what began as a food issue concealed an emerging mobilisation and deep-rooted concerns about the assistance system in Hong Kong. Similar to protesters who would later block the streets behind a rallying cry for democracy, asylum-seekers from diverse walks of life united to demand change in a broader human rights struggle. For 200 days, exhausted but resolute protesters occupied public spaces to claim legitimacy and protest policies that denied them participation, choice and authority.

Hong Kong is a Special Administrative Region of the People’s Republic of China. Within the ‘one country, two systems’ policy, the local government exerts considerable independence in immigration matters. It maintains a firm policy of not granting asylum and is not a signatory to the United Nations Convention Relating to the Status of Refugees (United Nations, 2016a). However, Hong Kong is a signatory to the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (United Nations, 2016b) and has established a mechanism to assess the claims of ‘persons not having the right to enter or remain in Hong Kong’ (Legislative Council, 2013: 2). Because Hong Kong does not grant asylum, asylum-seekers, or non-refoulement claimants (non-refoulement being the international legal principle that prohibits the return of persecuted individuals to a territory where they may risk persecution), whose fear of being returned to their country is found to be supported, namely ‘refugees’, are referred for resettlement to countries like Canada and the United States. The percentage of claims that are recognised by Hong Kong immigration authorities as meritorious of protection is, however, only 0.6% (Carvalho, 2016), against an average of 27% globally (United Nations, 2014).
Further, there are global legal and administrative distinctions between asylum-seekers or non-refoulement claimants and refugees (i.e. refugees are normally allowed to take up citizenship in the ‘host’ state). But in Hong Kong these distinctions are negligible. The legal status of refugees is in all respects similar to that of asylum-seekers. They are not allowed to work and do not have the right to stay, their removal only being halted pending resettlement. The use of the term ‘refugee’ by asylum-seekers in Hong Kong to identify themselves can thereby be understood in light of a call for status in its global legal usage, in a territory that undermines refugees and accepts an extremely low percentage of asylum-seekers. In this article, we use the terms asylum-seeker and refugee to reflect the analysis of the Refugee Union, one wherein seeking rather than obtaining asylum is the dominant experience.

The formation of the Refugee Union hinged on asylum-seekers’ re-appropriation of the refugee label. Through this process, we argue that the Refugee Union also succeeded in transforming a traditional mechanism for asylum-seeker containment – the refugee camp – into a mechanism for asylum-seeker voice, participation and resistance. Refugee Occupy in fact revealed the interactions between public protest, spatial containment and the emergence of a new political subject. In what follows, we discuss the asylum-seeker assistance policies and practices over the last decade that have, in effect, produced a borderless camp in Hong Kong. We examine the asylum-seekers’ transformation of the ‘refugee camp’ into a vehicle to assert an active political identity. Finally, we critically reflect on the potential for a sustained refugee and asylum-seeker rights movement in Hong Kong.

Government assistance and creating the borderless camp

It is our contention that government assistance for asylum-seekers and the government’s extremely low recognition rate (Immigration Department, 2015) have, in effect, turned the city of Hong Kong into a borderless refugee camp. There are currently 11,000 asylum-seekers in Hong Kong, mostly from South Asia and sub-Saharan Africa (Immigration Department, 2017). By government policy, they are entitled to assistance that ‘prevent[s] a person from becoming destitute’, but that does not create ‘a magnet effect which can have serious implications on the sustainability of our current support system and on our immigration control’ (Legislative Council, 2013). Per month, this comprises HK$1500 housing allowance (about US$200), HK$1200 worth of food coupons (US$155), HK$300 for electricity and water bills (US$39), and up to HK$300 for transportation (US$39), provided by the International Social Service, an NGO contracted by the Social Welfare Department since 2006. In one of the most expensive cities in the world, this level of assistance
has been calculated to be more than 30% below what is necessary to lift a person out of poverty (Ramsden and Marsh, 2013). As asylum-seekers are also prohibited from working while their claim is being assessed, this assistance can be said to have failed its objective to prevent destitution.

We argue that the above results, as per Webber (2004), in the use of welfare, or the provision of government assistance, as a deterrent rather than a humanitarian mechanism. Asylum-seekers are forced into spaces of immiseration and socio-legal marginalisation by welfare that offers governments a rationale for limiting assistance while also providing the techniques to present asylum-seekers as responsible for their own demise (Khosravi, 2009; Ticktin, 2011). As Agier (2011: 4) explains, ‘there is no care without control’. However, the opposite can also be argued (Johansen, 2013). For asylum-seekers in Hong Kong, precarity and illegalisation are enforced via insufficient levels of welfare assistance together with a prohibition against employment which force asylum-seekers to risk incurring the ire of the state if found engaging in income-generating activities to complement their assistance. In doing so, the state creates an easy target for public resentment that in turn can rationalise more stringent welfare and border controls (Fung, 2015). A downward spiral is created (cf. Squire, 2009), the responsibility for which rests on the shoulders of asylum-seekers.

The precarious condition experienced by asylum-seekers due to these policies resembles the refugee camp and camp-like institutions as spaces of confinement and segregation. Hong Kong does not house any formally recognised refugee camps. Yet the role of assistance in constructing a manageable or controllable asylum-seeker in Hong Kong is akin to the neutralisation of the refugee through containment within the camp. Anthropologists (Malkki, 1995; Agier, 2011) have identified the camp as a site that contains and actively seeks to produce a particular type of asylum-seeker or refugee, one who is devoid of legal protection but perceived as more socially acceptable and less threatening. In fact, the camp can be intended as a neutral space of confinement wherein life is allowed as long as order is maintained, or a punitive space of deterrence wherein refugees are turned or are intended to be turned into ‘bare life’ (Agamben, 1995). Feminist geographers (Conlon, 2011; Hyndman and Giles, 2011; Mountz, 2011) have been instrumental in conceptualising the refugee camp as a site in which the act of waiting or gratitude for the assistance received, albeit in the form of containment, becomes a marker of the feminised refugee or the ‘good’ refugee. The refugee waiting patiently and gratefully in the refugee camp becomes a more socially acceptable and manageable individual (Darling, 2016), who may be seen as a less socially threatening figure for those in destination countries and yet an economic burden the life of whom depends on our compassionate giving. By contrast, asylum-seekers who question or challenge their containment are more liable to be framed as ungrateful, undeserving as well as deviant.
The camp is indeed a place marked as separate from the space of society, where the qualitative sorting of human beings takes practical shape. Yet, more recently the camp has been argued as a space for human agency where institutional constraints and unbalanced power relations are negotiated, adapted or contested (Bailey, 2009; Ramadan, 2013; Singona, 2014). In our fieldwork we found it remarkable that Occupiers adopted a terminology that unconsciously but lucidly portrayed the irony of asylum-seeking in Hong Kong. Traversing borders in search of protection, asylum-seekers become threats at the threshold of their new home (Khosravi, 2010; Weber and Pickering, 2011). Asylum-seekers may be presented as a menace to the host that previously offered international protection yet now become victimised by their seemingly uncontrollable arrival (cf. Agamben, 1995). Unable to return home and seeking integration, asylum-seekers are caught in enduring transience, which through the suspect identity of the ‘refugee’ (Zetter, 2007) projects on to their body the border they have crossed (Sciruba, 2009; cf. Weber, 2006). In Hong Kong, a borderless punitive camp has been established by policies and politics that erect boundaries that are as invisible as they are effective in containing the agency of asylum-seekers while depicting their deviancy. Yet, the asylum-seeker Occupy action rendered ‘the camp’ visible, and thereby contestable, by claiming a social and political identity as refugees as rights-holders.

Methodology

This article is grounded in asylum-seekers’ stories, realities and aspirations during the ‘Refugee Occupy’ action that occurred from February to September 2014. During this period, asylum-seekers created the only organisation in Hong Kong led entirely by asylum-seekers, the Refugee Union. The authors spent considerable time during Refugee Occupy on a series of fieldwork studies to observe and speak with the Occupiers. Our methodology consisted of extensive participant observation and informal, open-ended interviews focusing on asylum-seekers’ motivations in the Occupy action. Over the entire period, we talked regularly with 20 individuals and occasionally with another 30 individuals when they were present at the camp, if they spoke English or if a fellow asylum-seeker was available to interpret for those with limited fluency in English. A core group of asylum-seekers would very often be at the Occupiers’ camp regularly. During the day, the camp would attract more asylum-seekers, to return occasionally or when in need of their peers’ assistance with matters pertaining to asylum, welfare and liberty. Most of our conversations were carried out with these groups. The camp facilitated the sharing of information and experiences, and discussions that started one-to-one generally attracted the attention of others who would often join in. Recollections
in the field were penned down during or following these lengthy discussions. Part of our methodology also included talking to asylum-seekers who were not Occupiers, who lived in Kowloon or the New Territories, which ensured the inclusion of diverse or contrasting asylum-seeker views.

Our analysis is informed by a decade of commitment to asylum-seeker and migrant issues, as researchers and activists, in Hong Kong and globally. The first author is a non-executive director of advocacy group Vision First, an independent organisation in Hong Kong which provides assistance to asylum-seekers, many of whom are Refugee Union members. Vision First is situated in a unique position within the asylum-seeker support sector in Hong Kong, as an advocacy group that encourages the greater political participation of asylum-seekers in policy discussions that impact on their lives. However, as an advocacy group that is not led by asylum-seekers, Vision First is also situated within the assistance system that it critiques. In supporting the members of the Refugee Union, Vision First therefore supports a space in which asylum-seekers and refugees are able to resist, question or challenge the humanitarian assistance sector, of which Vision First remains a part. We argue that this position presents a unique opportunity for reflection on the complexities of being an ally, but also offers an evolving example of solidarity between asylum-seekers and those who seek to ‘help’ them. This research began with the aim of critically analysing the work of Vision First, and how organisations assisting asylum-seekers shape the livelihoods and vulnerabilities of their beneficiaries (cf. Lashaw, 2012). The relationship between Vision First and the Refugee Union presents an example in which active, political asylum-seeker voices need not be perceived as adversarial or a threat to those providing assistance.

## Experiencing assistance

In May 2014, roughly mid-way through the Occupy action, asylum-seekers sat on leather sofas and padded chairs positioned to mark the perimeter of what they colloquially called their ‘camp’, and shared what it felt like to be treated as delinquent migrants and welfare abusers:

> Immigration [officers] and social welfare [providers] treat you like you don’t exist. So many times I tried to get an explanation – why I have to wait for over eight years to have a clear answer? Can you protect me or not? I need to know! In my country we have no proper laws, we have no freedom. They come to you and say, ‘You do this or we make you do this’. It is not right. But at least there is certainty. People need certainty to live – but here so many times I go talk to them – and they push me away. They show me their power by not talking to me. Do you think that I’m a nobody? That I can become an insect? Sorry, I can’t accept this. (South Asian asylum-seeker)
‘I’m a bird with no wings’, echoed a fellow Occupier, frustrated by a city that was suspicious of his presence yet deprived him of the economic means to depart:

Hong Kong is a good city for people that have money. But even to buy water – in Hong Kong for the first time I felt shame. When I finished my money [after arrival] I slept in the park and drank water from the public toilet with my hands because in toilet nobody put a glass for a beggar to drink … Now I get assistance, but even water and tissues, you have to buy it. We need money to buy things that no one gives you. (South Asian asylum-seeker)

The frustration experienced by these asylum-seekers mirrored the powerful description offered years earlier by an erudite African asylum-seeker of the endless and exhausting struggle he faced: ‘At home people have real guns, but here also they have other types of guns, shooting at you, because you are like a target. Every day they shoot you. It is the same death you live every day’ (in Vecchio, 2015: 66–67). The comments above highlight key characteristics of the assistance system for asylum-seekers in Hong Kong: (1) a confusing and punitive bureaucracy which limits protection and welfare for asylum-seekers, (2) restrictions on asylum-seekers’ attempts at self-reliance through inadequate assistance and a legal prohibition on working, and (3) long waiting periods for case resolution which produce frustration and powerlessness.

The goal of refugee status lies at the heart of asylum-seekers’ conflictual suspension in Hong Kong. The designation of refugee status also lies at the centre of state efforts to defend human rights and fulfil international obligations on the one hand, while carefully managing, stemming and at times circumventing the legal obligations owing to asylum-seekers on the other (Joppke, 1998; Hathaway, 2008). Access to refugee status is extremely restricted in Hong Kong to avoid jeopardising the city’s low taxation and residual welfare system. Prohibited from working and provided with welfare assistance that is deliberately inadequate to avoid generating an undesirable ‘magnet effect’ (Legislative Council, 2013), asylum-seekers are compelled into poverty and fear of imprisonment if they attempt to supplement the assistance they receive. In so doing, asylum-seeker agency is framed as evidence of deviant behaviour that rationalises the use of welfare as a deterrent.

It is noticeable that the public is left oblivious to the economic implications of the ‘deviant’ agency of asylum-seekers. Were it not for asylum-seekers, numbers of local residents would be unable to source expendable, cheap and flexible labour or the networks needed to market cheap and often illegal Chinese-manufactured goods in the booming economies from which asylum-seekers emerge (Vecchio, 2015). As explained later, landlords would be denied the opportunity to profit from the housing needs generated by the asylum-seeker and refugee population. An informal economy thrives in Hong
Kong, dependent on the diminishment of asylum-seekers in an increasingly stratified society. But these means rely on exploitative mechanisms of capitalistic accretion, and arguably the criminal justice system. As Sales (2002: 459) argues: ‘Asylum-seekers have been cast as the “undeserving”, while denied the means (employment) by which to join the “deserving”’. Comments in line with the following were all too common at the camp. A South Asian young man confessed that it was ‘unfair’ that his youth be ruined by the simultaneous prohibition on work and inadequacy of assistance while he had ‘everything like other people. I have two legs, two arms, two eyes’. The Occupiers spoke of the brutality of their confinement, and as a result many coped either by internalising an identity as supplicants at the mercy of the gatekeepers for limited resources, or by engaging in dangerous activities. While the former identity generally entailed misery and obedience is assumed to mark a ‘genuine’ asylum-seeker (Fassin and d’Halluin, 2007), engagement in the informal economy involved the risk of prolonged jail terms and exploitative salaries in precarious working conditions, despite restoring a sense of self lost in the asylum sphere.

Interviewees spoke most convincingly about the processes that forced them into what some called a ‘trap’. Innumerable statements were collected concerning the practice of asylum-seeking that narrated prolonged and mentally challenging periods of waiting: of years, waiting to be granted an asylum hearing that would most inevitably end in rejection; or of months, waiting to be granted recognisance papers with which to obtain the government’s Social Welfare Department (SWD) referral to attend an intake interview with the International Social Service (ISS) – the non-profit organisation contracted by the SWD to provide asylum-seekers with in-kind assistance – a process lasting several weeks longer. Labyrinthine procedures forced asylum-seekers to apply for asylum before they could receive any assistance, causing them to experience severe hardship. Interviewees lamented that the burden of survival weighed heavily on their shoulders at a time when they were provided with little or none of the leverage needed to effectively negotiate a position in society, such as legal permission to work. They were hence forced to seek remedial action, either by relying on occasional well-wishers and friends – mostly co-ethnic and co-nationals who initiated peers into an adaptive ‘way of living’ (that is, ‘illegal’ work) – or by approaching the few charities concerned with refugee wellbeing.

Yet, made responsible for personal or family survival, some Occupiers acknowledged that even the most compassionate benefactors eventually tire of helping those who are unable to reciprocate. At the same time, they seemed wary of Guinea-Martin’s (2014: 541) argument that ‘[b]enevolent actions simultaneously display the giver’s moral righteousness and the troubled situation of the unfortunate, arousing feelings of pride in the former and shame in the latter’. Several informants referred to the revolving door that constitutes
the paradox of charitable assistance. Most are perceived to give when there is mutuality between a gift and the self-satisfaction that follows from giving, which is weighed against the gratitude of the receiver. Assistance was said to flow so long as the asylum seekers performed in ways that would benefit their benefactor. For example, a family of five revealed how they often used to be called to a charity group for help, and their children’s photos used for fundraising purposes, until they fell foul by voicing concerns about the charity’s finances and questioning why their children were used for fundraising but the family was repaid with only minimal assistance. A single man conversely claimed that he did not bother approaching charities because he had heard from friends that asylum seekers of their nationality were rarely helped, and this was reason enough for him to know ‘how things go’. As we witnessed over almost a decade of research in Hong Kong, preference is given to asylum seekers who appear to be the most vulnerable, while certain behaviours (being vociferous or working) and ethnic groups (the most numerous South Asians) are generally assumed to be less deserving. This was particularly so given that limited resources must be carefully managed to reach the ‘right’ people – those who demonstrate a genuine need for compassion (cf. Manocchi, 2012).

Robinson and Segrott (2002) argue that welfare benefits hardly constitute an attraction for asylum seekers, who would consider them necessary in the short run, but undesirable over time. Asylum seekers in Refugee Occupy shared this view: asylum seekers expect to earn a living themselves. But when work is unavailable or prohibited, welfare assistance is the primary legal form of subsistence. Yet assistance also plays a role in the politicisation of its beneficiaries. We were told that ‘no one can live with ISS only’. We were also told of aid being distributed unequally, without explanation. Certain problems that rendered the everyday life of asylum seekers particularly difficult were blamed on the way the ISS operated, specifically its alleged failure to alleviate the destitution it was officially contracted to prevent (Legislative Council, 2013). One interviewee described how he worked to buy baby food, diapers and clothing. On one occasion, when his workplace was stormed by the police, and he barely escaped prosecution, he begged Vision First to lend him money, because he could no longer risk incarceration and his family struggling without his support. When he sought help from the ISS, he was abruptly told that these services were not provided. Other charities were short of requested items and fellow asylum seekers were unable to spare any. He questioned the rationale behind such deprivation. If there are stringent welfare rules, he affirmed, surely there are also civility rules, presumably enshrined in domestic and international legislation. Responses from indifferent, burdened or desensitised caseworkers revealed the disciplinary functions of welfare provision (Burns and Christie, 2006; Christie, 2006), rather than genuine assistance.

Significant in this respect were the courageous steps taken by one Pakistani asylum seeker who initiated legal action against the ISS and several
government departments (Hong Kong Court of First Instance, 2014). Despite his self-written summons submitting allegations that were later rejected, this plaintiff sought legal remedies for what the Occupiers often lamented – that insufficient assistance caused repeated conflict with landlords and others to whom they owed money. In this case the landlord allegedly entered the plaintiff’s room to appropriate what the tenant could not afford to pay in rent. Asylum-seekers are currently afforded a monthly rent allowance of about HK$1500. In a city as expensive as Hong Kong, rooms are rarely available for this amount. Most often, the cheapest rooms can be found in seemingly illegal structures, either on the rooftops of rundown, walk-up buildings or at the margins of urban areas, in slums where landlords can threaten their tenants when rent is due or premises need to be quickly vacated (Vision First, 2015a). Asylum-seekers lament the chronic economic uncertainty they face, while their continual need for cash to cover their rent, utilities, basic housing appliances and daily expenses underlies their vulnerability to exploitation (Vecchio, 2015). The assistance framework in Hong Kong severely restricts asylum-seekers’ efforts towards self-reliance and requires asylum-seekers to remain suspended in a liminal legal status. In a context where policy appears to value the docility and containment of asylum-seekers, efforts towards self-reliance may be perceived as evidence of risk, social threat and criminality.

We argue that this framework, in essence, turns the territory of Hong Kong into a borderless camp. The confinement of asylum-seekers in Hong Kong does not conceal them from the public eye, behind razor wire on some remote island. Instead, asylum-seekers compare the experience to being in an ‘open prison’, where the lack of legal status and economic rights, coupled with racial discrimination, defines their extraneousness to society. The spatial confinement and prioritisation of bare survival often recognised as common features of a refugee camp, are achieved in Hong Kong through bureaucratic policies for the distribution of aid. But asylum-seeker assistance not only functions as an ostensible deterrent and mechanism for containment, it also provides a means to demarcate and enforce internal borders and social exclusion (Guentner et al., 2016; Jørgensen and Thomsen, 2016; Keskinen, 2016). And in a borderless camp, law enforcement’s surveillance of asylum-seekers is facilitated by insufficient levels of assistance (such as the housing allowance) that then force their visibility on the streets and in public spaces. As the following section discusses, however, Refugee Occupiers subverted this public visibility to reveal the use of assistance in policing and containing asylum-seekers.

**Challenging assistance**

Frustration with the lack of mechanisms for critical dialogue between asylum-seekers and assistance providers led to the emergence of the Refugee Union,
which then organised Refugee Occupy. In August 2013 a small group of asylum-seekers travelled to an ISS branch to demand that they be relocated to proper homes from the slum where they lived. The ISS refused to meet the group, alleging that their request to be met as a group rather than individually was unreasonable (ISS, 2013). A stand-off ensued with the police, resulting in a scuffle that was promptly broadcast on the evening news (Now TV, 2014). While some asylum-seekers blamed this group for conveying a negative image of all asylum-seekers, others claimed that the ISS ‘made us look bad’. Asylum-seekers believed the reasons for their protest had been obfuscated by their outrage at the way they had been dismissed. In a protest that followed a month later, about 100 asylum-seekers objected to the ISS decision to increase food collections at designated grocery stores from three to six times a month. Asylum-seekers saw this change in a negative light as the purported objective of providing fresher food was not achieved. Indeed, asylum-seekers alleged that the change concealed a reduction in food supply. This time the police blocked access to the ISS building, and protesters’ demands to return to the previous system of three collections per month went unanswered. However, a few weeks later the food distribution changes were cancelled, without comment or explanation. A few months later, asylum-seekers again complained about the food distribution chain. To generate income, cash-strapped asylum-seekers sell food rations to intermediaries, and sometimes to the same grocery stores where they collect it, at about half the value. These rations are then redistributed the following day to other service users, who might also trade them, compromising the food’s freshness. Some commentators argued that this ‘humanitarian’ assistance was anything but humane.

As a result, Refugee Occupy was initiated in early February 2014, when a small group of asylum-seekers met to brainstorm the conception of a union for asylum-seekers. A few days later the informally fashioned Refugee Union wrote a letter to the Hong Kong branch of the ISS (Refugee Union, 2014). The letter demanded that asylum-seekers be treated fairly, and noted failures in the food distribution chain which were resulting in asylum-seekers allegedly receiving food for less than the value to which they were entitled (Choi, 2014). On the morning of 11 February, a dozen Refugee Union members walked into the ISS offices to lodge their complaint. They decided they would hold a sit-in until meaningful negotiations were guaranteed; but when confronted by the police, the protesters concluded that the time had come to make a stand.

News of the protest spread quickly. Fellow co-nationals and co-ethnic asylum-seekers risked questioning their appointed service provider over assistance they believed deprived them of adequate support and a sense of self-worth. Within a few hours dozens of protesters augmented the original group. The next day, three district offices of the ISS were flooded by other asylum-seekers. Many demonstrators had not previously joined Refugee
Union gatherings, but seized the opportunity to collectively present grievances that had previously been raised individually with little result. Anger and injustice were arguably the emotional catalysts that drove the protesters to occupy these offices. However, their focus on ‘corruption’ (i.e. the alleged flaws in the distribution of food rations) formed the intellectual basis for the mobilisation that sparked an explosion of human rights activism, attracting news headlines and unanticipated political support (Choi and Lee, 2014; Solomon, 2014). The ISS responded by obtaining a court injunction that restored the order the asylum-seekers had abruptly challenged. The ISS vigorously rejected any accusations of wrongdoing, and issued legal proceedings against allegations it claimed were defamatory (Kao, 2014). The public spaces outside the SWD head office became the movement’s new home, before the camp relocated to the footbridge in Central, where it remained for the rainy summer. The Refugee Union grew over the occupation months to comprise over 700 members, most of whom lived in secluded areas where participation in the movement was hindered, as transportation money was provided by the ISS for official matters only, such as appointments with case officers. In hindsight, this engagement validated the protesters’ claim of legitimacy, evincing the emergence of a new asylum-seeker identity grounded in activism and civil participation. Talk of an incident circulated with empowering effect in the early months of Occupy, about one South Asian asylum-seeker who had prevailed over intransigence when requesting a new interpreter at an immigration hearing. Receiving little support from his legal representation during a screening interview, the Occupier was said to have extracted a Refugee Union membership card from his wallet. He confidently tapped it on the table and reportedly said, ‘Listen, I know my rights. If you don’t want to change the interpreter I say no more’.

Months after these events, the Refugee Occupy movement can be said to have achieved practical and interactional results. The SWD was pressed to, albeit modestly, rethink the terms of its tender. International news agencies and the local media attentive to issues concerning the public purse raised the visibility of asylum-seekers (i.e. Choi, 2014), boosting their confidence to elicit more media attention (Vision First, 2015b). The SWD (2014) has since issued new guidelines to increase the number of service providers and issue food coupons as an alternative to the unethical practices that asylum-seekers alleged riddled the food distribution chain.

Importantly, the movement produced a significant identity shift for asylum-seekers in Hong Kong. Asylum-seekers resolved to take ownership of the ‘refugee’ label, renegotiating their socioeconomic degradation by asserting their rights and taking pride in their achievements, namely reaching and surviving Hong Kong. In support of this contention is Langman’s (2013) assertion that Occupy movements should be understood through their vision of a new society, which grows out of an ethical appraisal of an economically
and socially stratified society and the exclusion of those who cannot, or believe they cannot, share in the ‘good life’.

Occupy movements around the world generally focus on denouncing the corruption and hypocrisy of systems that are increasingly irresponsible to the needs and desires of people penalised by social immobility (Byrne, 2012). However, most of these movements embrace a panoply of causes and often pursue an ill-defined alternative model for solving varied social and economic problems (Barber, 2011; Langman, 2013). The Refugee Occupy movement differed by clearly identifying the target for change. Asylum-seekers condemned the outsourcing of welfare services as a dehumanising mechanism of power. More specifically, they bounded their action by criticising the ethics of the organisation that implemented the exclusionary politics that have shaped a contemptible asylum-seeker identity. In other words, Occupiers took it upon themselves to demonstrate that being deviant and a welfare burden is not (solely) the result of survival strategies adopted by asylum-seekers. Rather, it is a result of a system in which asylum-seekers are deliberately allocated insufficient provisions yet are prohibited from seeking employment to supplement or replace those provisions. In these terms, an analysis of Refugee Occupy empirically concretises the ways in which power relates to people when the boundaries of membership are policed to estrange and discipline through labelling and identity (Aas, 2014).

Refugee Occupiers responded to their confinement by generating a sense of collectivity and unison that produced a new subjectivity while also laying a basis in a political claim. Occupiers’ imaginings of a ‘good life’ indeed pivoted on choice and participation. The Occupiers turned their camp into a place of solidarity, support and equality, where the nature of their engagement aligned with their skill sets. Meals were prepared and served by a roster of asylum-seekers who spontaneously organised, while others took turns to publicise their plight to passers-by and give interviews to journalists and students. Tents were kept clean and uncluttered for night shifts that always included several homeless newcomers. Over six months the police made no attempt to clear the Occupy area, but cordoned it off with blue-and-white police tape which effectively delineated an official space that Occupiers humorously likened to their ‘country for which we will issue passports and allow or deny entrance as we deem fit’ (Figures 1 and 2).

In this camp asylum-seekers learned to bring their grievances directly to the SWD. In so doing, they claimed the role of beneficiaries of state assistance as constitutionally defined. The solidarity displayed by those escorting aggrieved complainants to the SWD empowered others who in turn augmented the line of asylum-seekers demanding fair treatment. A newly arrived asylum-seeker from a war-torn country, frustrated by having to wait for a promised call from his caseworker to commence assistance, revealed that he considered Refugee Occupiers to be ‘heroes’ for showing him how
an asylum-seeker could speak, in ways ‘I never knew it was possible’. Scholars have analysed the functions and consequences of restricting asylum-seekers’ roles to that of beneficiaries only, rather than both beneficiaries and contributors (Bloch and Schuster, 2002; Sales, 2002). During Refugee Occupy, asylum-seekers renegotiated their receipt of welfare no longer as service users in an asymmetrical delivery structure, but on a more equal footing as rights-holders aware of Hong Kong’s international and domestic obligations.

**Concluding thoughts**

When one African Occupier in his mid-20s was asked whether protesting might endanger the refugee community, he emphatically replied that ‘when

Figure 1. Police cordoned off the Refugee Occupy camp.

Figure 2. View from inside the Refugee Occupy camp.
you are at the bottom of the pile you cannot fall any lower’. Leung (2014: 7) contends that asylum-seekers exploring paths to retain or renegotiate their identity in Hong Kong may internalise the labels they are given by society and consequently view themselves as a segregated segment of the population, whereby the indifference of the local population further leads to a learned isolation from their part. This appeared to be the case with asylum-seekers who did not participate in the Occupy action, who generally shared the opinion that protesting and becoming too visible in the eyes of society would reinforce their stigmatisation. Further, these asylum-seekers worried that the little they had achieved over the years could be swept away by law enforcement to restore the order that the Occupiers had disturbed. For people without secure legal status, who have learnt to master resources that allow them to get by and sometimes even to prosper, flying under the radar is perceived as an advisable option to retain a margin of tolerable precarity.

Clearly some asylum-seekers are scared of protesting; others do not want to destabilise a painful but tolerable normality. But Occupiers and Refugee Union members long for a community cognisant that asylum-seekers and refugees deserve a fair chance to contribute. On one late evening in June 2014, shielded from the driving rain by protest banners, a woman breaks her silence and intervenes in our afternoon talk: ‘I hope someday my children will achieve their goal in their lives to prove that even if they are children of refugees we can show the world that refugees are people’. Some days before, Paul, a college-educated asylum-seeker whose refugee claim was still pending after his arriving from Pakistan in March 2009, told us he did not like to be seen in public. Yet he visited the Occupy camp every so often to accompany friends and submit documentary evidence of what he believed was deliberate and unlawful violence against them: ‘I do it for me, my family, my friends and the refugees to come. After all, if I don’t raise my voice, what kind of human being am I?’ Between family in hiding back home and a screening process that regurgitates the same questions, Paul doubted there is any point to keeping quiet. ‘If not us, who? If not now, when?’, wrote young Hong Kong protesters on occupied roads, stressing the urgency for democracy. Looking at those scrawls, Paul smiled and agreed. For him, as for many Occupiers, it was no longer an issue of welfare but of upholding human rights.

Refugee Occupy was the result of a combination of events that led to the emotional appropriation of a refugee identity that it then sociologically altered. Although refugees generally seek to discard this label for the past it evokes (Leung, 2014), this very identity collectively provides them with authority and access. Asylum-seekers attached particular significance to ethical and civil values which they claimed their group had been arbitrarily deprived of. In so doing, they presented the asylum-seeker or refugee vision of the ‘good life’, in terms of authority, choice and participation. A shift was made from subsistence to resistance: the Occupy movement testified to a
spirit that enabled Occupiers to publicly realise that seeking asylum bears no correlation with losing dignity, respect and self-worth. We were told that, like local residents, ‘even refugees have basic human rights. We are not animals’. A frustrated African asylum-seeker reiterated that ‘Hong Kong doesn’t want us here? Say it to my face. But until then you cannot treat us like we are not human’.

The formation of the Refugee Union and Refugee Occupy clearly have potential to startle the current assistance framework for asylum-seekers, as the Refugee Union has re-envisioned the role asylum-seekers can play in Hong Kong. What remains to be seen is how the assistance sector will receive their demands for meaningful dialogue, input and participation. The collaborative relationship between the Refugee Union and Vision First provides evidence that this is possible, and that asylum-seekers seeking spaces for meaningful participation and influence need not be perceived as a risk to organisations providing support to them. The theme ‘nothing about us without us’ is a growing refrain invoked by diverse social movements around the world. The aim of stakeholders working on diverse social issues, such as the participation of domestic workers in policy discussions about domestic work, or the role of trafficking survivors in informing anti-trafficking policy, is increasingly to place at the centre of policy and practice the affected groups, these being both self-organised groups or spaces for the participation of the directly affected groups (e.g. advisory boards) in organisations that are not staffed or led by directly affected groups.

Locally, the histories of organising and mobilisation established by other social movements, such as domestic worker-led and migrant worker-led organisations, could be used by the Refugee Union to learn how to call for participation and provide leadership. Domestic workers and migrant workers have been notably successful in establishing organisations in Hong Kong (e.g. Constable, 2009; Hsia, 2009; Sim, 2009; Lai, 2010). The priorities and needs of asylum-seekers are very different from those workers’, yet they have in common issues related to migration and precarity, whether it is precarious work or precarious status. The established history of these organisations in mobilising diverse and dispersed communities, effecting policy and practical change, and developing sustainable organising strategies, may also offer lessons for the nascent mobilisation of asylum-seekers in Hong Kong. Globally, there are also lessons to be shared as organisations led by asylum-seekers or refugees themselves have already been established in numerous other countries (e.g. Kakuma News Reflector, 2012; RISE, 2014/2015; Clements et al., 2016; Easton-Calabria, 2016). It will be interesting to observe the responses that the Refugee Union evokes from the organisations and services that purport to assist asylum-seekers, and whether the voices and participation of asylum-seekers in shaping assistance systems in Hong Kong will be welcomed, accepted, resisted or penalised.
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Note
1. Asylum-seekers are generally detained for a period of between a few hours and a few months, after which time they enter into recognisance under s36(1) of the Immigration Ordinance. Holders of recognisance papers are not permitted to stay and are liable to be detained and removed.

References
Hong Kong Court of First Instance (2014) Akhter Rana Shabid v Immigration Department, Police Department, Social Welfare Department, Legal Aid Department, and International Social Service, HCMP 3094/2013.


Now TV (2014) Now TV on the refugee clash at ISS Hong Kong [https://www.youtube.com/watch?v=RdwlRjhmgi8].


United Nations (2016b) Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Geneva [http://www.ohchr.org/EN/ProfessionalInterest/Pages/CAT.aspx].


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