Life in the Hong Kong Camps: Detention or Ethnocide?

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Ethnocide is a process of a community losing all its internal cohesion; community structures and networks lose direction of the community. A community may lose its ability to influence its direction and affairs due to the direct intervention of a dominant group. Ethnocide is a product of a process of an extreme community reaction to an extreme external stimulus of segregation and separation of that community from a broader society.

Separation and segregation of asylum-seekers creates a phenomenon of community disorganization and demoralization. This process has both individual and group consequences. The most important observation in this analysis is the direction of change. The changes taking place are self-destructive and negative. Mostly, this phenomenon is worse than the situation they experienced in their home country.

Vietnamese asylum-seekers have been legally, socially and institutionally segregated and separated from the Hong Kong population. Since the enactment of the Comprehensive Plan of Action (CPA) in 1989, asylum-seekers have been subject to administrative detention under the Immigration laws of British—Hong Kong Government. These immigration laws are based on the British Prison Laws with certain amendments. Such detention without the benefit of legal trial counters basic principles of English Law as well as the basic spirit of 1951 Convention on the status of refugees, and International Covenant on Civil and Political Rights (ICCPR). Nor does the CPA, proposed by the United Nations General Assembly to control the unrestricted flow of humanity from Vietnam during the late 1980s, authorize the detention of asylum-seekers.

The eleven detention centres (generally referred to as 'camps') are situated in the less accessible regions or in nearly uninhabited outlying islands. In general, the Hong Kong public has remained largely unaware of the life or living conditions there as press and public are barred from access. Only the camp administration staff, United Nations High Commissioner for Refugees (UNHCR) officials, a few religious persons and some social service agency staff are allowed to visit them. UNHCR and social service staff are expected to leave the campsites after office hours.

The British-Hong Kong government's social ostracism of asylum seekers is often orchestrated through the xenophobic public utterances of the appointed members of Hong Kong's law-making body. While it has successfully passed necessary regulations to bring migrant workers from other overseas countries to ease the acute labour shortage, any suggestion to employ the Vietnamese is met with rejection.

The physical appearance of the detention centres is designed to appear intimidating. High security fences, closed-circuit surveillance cameras, barbed wires, primary and secondary fences, high power security lights, guard posts on the perimeter road to the 'no man's land' effectively isolate the centre from contact with the world exterior to it. Complete security inspection of the visitors and the service agency staff likewise underscores the resistance of the centre administration to any intrusiveness..

Asylum-seekers find that their new living quarters consist mostly of a bunk-cubicle in a crowded three-tier system without any privacy or personal space. A family or group of up to five persons live in a space 8ft by 6ft by 3ft, assigned by the camp administration. In most cases there is no special provision for the elderly, disabled, women or families with small children to get a bottom bunk. Crammed in with all their belongings, usually only a thin cotton curtain (which they must supply) separates them from the next family. They are not able even to stand upright in their bunk space—a feature unique to this detention régime. Even Hong Kong's criminal prisoners have space to stand up in their cells. Yet many asylum-seekers have called this space home for the past four years.

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In at least five centres the asylum-seekers are locked in their huts during the night, ostensibly for their own security, but with little regard for their safety in the case of a fire or an emergency. During winter all of them are exposed to the severity of the weather. When the summer heat rises to 45° C, the metallic Nissan huts are no protection against the heat.

They are confronted with new diseases. The spread of the HIV virus is a recurrent threat. In the Whitehead detention centre holding 22,888 Vietnamese asylum-seekers, Department of Health officials reported 106 new cases of venereal disease, out of a total of 400 people seeking medical treatment in 1992 (SCMP, August 25, 1992).

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Deteriorating nutritional status and extremely limited self-care facilities combine to the lowering of the health status. Access to medical facilities and proper and relevant information is always a concern for the service agency staff and the asylees themselves.

> On 28 June 1990, a Vietnamese woman, the mother of small children, died on the way back to High Island Detention Centre after being discharged from the Prince of Wales Hospital where she had been sent as an emergency case earlier in the day. A number of witnesses reported that it had taken five minutes to resuscitate her when she fainted in the police truck which was carrying her back to the detention centre. Despite her repeated pleas to take her back to the hospital, the Police refused to do so. Apparently she did not have the correct referral papers (Leonard Davis, 1991).

There is no scope for asylum-seekers to organize themselves politically and gain political power to influence decisions related to their own future. All forms of communication channels with the outside world and between themselves and different sections within the camps are controlled. The service agency staff are ordered to make sure that access to the telephone is controlled or supervised. Some of the humanitarian aid and social service agency personnel unplug their own telephone instruments and carry it with them while they are away from their office.

Added to the revised guidelines from the UNHCR, in consultation with the lead agencies and Security Branch, a new clause (item 12) has been added to the guidelines for the operations of NGOs in detention centres. It states:

> Individuals who are working in the detention centres under the auspices of the assistance program should treat any information received directly from the centre residents or other sources with confidentiality (Hong Kong BO: UNHCR Reef No: AS/0142 [502]).

This clause includes matters relating even to the claims for refugee status of asylum-seekers. The new regulation effectively restricts the possibility of an asylum-seeker getting legal or moral support from outside sources. It has muzzled the few vocal, agency staff. Thus relations with the media are governed not by policies of the respective agencies but by security guidelines.

All personal mail is censored by the camp administration before it is distributed. In some of the CSD run camps, radios, newspapers, magazines and cameras are prohibited. Any such item kept by the asylum-seekers is liable to be confiscated.

Economic changes are no less severe: opportunities for employment with token or no payment at all exist only for a chosen few; most are unemployed. Those lucky enough to get a job with the agencies or with the camp administration are entitled to get a maximum salary of HK$ 180 (approximately US$ 22) per month, in accordance with the prison terms.

Prominent among cultural changes in the detention centres is the accrual of a new language with a corresponding diminution in the importance of one's own language. In discussing the impact of migration on children, David Cox observed that difficulties arise when children are obliged to switch their language—when their own cultural norms are not reinforced or even devalued by those around them. Conflict arises within and beyond the family regarding their cultural norms and those of significant others. Great confusion and suffering result in serious emotional difficulties, intellectual retardation and disturbed personal relationships (David Cox, 1990).

The immigration ordinance permits the imposition of a condition on any refugee that he or she shall not become a student in a school, university or other educational institutions. Thus, unlike the rest of youth in Hong Kong, child asylees and refugee children, who represent 42 percent of the asylum-seekers in Hong Kong, are not required by law to attend school. The camp schools are neither registered nor supervised under the Education Ordinance of Hong Kong. The instruction offered by the teachers supplied by non-governmental organizations follows no prescribed curriculum. The quality of education offered to the refugee children is questionable at best.

Religious practices are restricted or limited. Camp residents have petitioned and lobbied to retain their religious freedom. In August 1992, the Shek Kong Detention Camp management, for example, denied the Catholic groups their freedom to attend their weekly mass. Restoration of the mass privilege required petitions to camp management, UNHCR, and NGO.

Paradoxically, new religious affiliations are sometimes formed. In the detention centre context, very often Vietnamese identity is ridiculed by the service agency staff and camp administrative staff intentionally or unintentionally or as a control tactics to keep the asylees "in their place." The possibility of elder generation transferring their rituals and belief systems to the younger generation is limited or restricted. The new affiliations serve as a reinforcement of cultural identity as an integral part in sustaining self esteem.

Inter-group and intra-group relations have continued to deteriorate. New forms of group conflicts have been emerging and patterns of social dominance have changed. Group allegiance is formed often on the lines of districts of origin, North-South and provinces.

Tensions exist as well between those who have opted for voluntary repatriation and those who are unwilling to return to Vietnam. In several cases spouses and or siblings have different opinions regarding their return to Vietnam. This situation has resulted in one party returning without a partner. Another major source of tension within the camps is in keeping the asylum-seekers together with the asylum-seekers who are determined as nonrefugees.

Group conflict is becoming a way of life. In the Shek Kong Camp riot between two groups, on February 3 and 4, 1992, some 24 Vietnamese, includ-

ing women, children and elderly were burned to death and another 100 persons were hospitalized. In another instance, a woman, Ms. Tran, who challenged the Governments screening process in the Hong Kong High court but settled the case with the government lawyer along with eight others shortly before the judgment, was stabbed with her husband by a man with a broken fluorescent light after a row when she was returned to the Whitehead detention centre. Just before the judge was to make a judgment on their case, the group who challenged the government screening policy agreed to end the case in exchange for a new interview with the Refugee Status Review Board (RSRB). The group has been shunned and criticized by the fellow asylum-seekers for accepting Government's offer of a second appeal hearing rather than proceeding with their judicial review.

Many observers believed that the landmark case might result in a ruling that would force the administration to review the whole screening procedure. During the court hearing Ms. Tran claimed that she had been persecuted for 25 years in Vietnam for being a devout Catholic. But the RSRB rejected her claim. Only two of the eight appellants were granted refugee status.

Day-to-day violations of individuals are often under-reported. In the following incident, Tran Quoc Tuan (VRD 236/91, F/No 8821, Hut B7 Section B SKDC) fell victim to such harassment of camp management.

> There was no water supply on May 22, 1992 at the section B of SKDC. Since morning the residents of section B had been requesting the camp management to be permitted to enter section A to get water for morning ablutions. At about 8.30AM one young girl waiting with a bucket near the gate between Sections B and A, repeatedly asked for permission. The policemen became annoyed. Since the girl was inside the gate he spat on the girls face. Mr. Tuan happened to arrive the gate at that moment. With help from the service agency's staff, he wrote the following details of the event.
>
> At 8.30 in the morning on 22, 1992 when I went to the gate of section B I saw the police men was shouting at a girl. I did not know the reasons of the fight. When I went closer to the gate I saw the policemen spiting on the face of the girl. The angry girls shouted back at the policemen a foul language. He opened the gate and rushed to the girl and slapped her and pushed her down into the dirty slime and went back to his position outside the gate.
>
> In tears, the girl got up from the mud and slime and went to the gate to read the badge number of the policemen. This infuriated the policemen again. He came in rushing pushed the girl again into the puddle and dragged her out through the gate. When I saw this impulsively I felt I must do something to stop this. I went to the gate and tried to release the girl from the policemen's grip. When he began shouting at me in anger I got frightened and tried to get back to the door. The policemen chased me to the section B and I began running to escape from the police.
>
> While running I slipped and fell down, then the policemen beat my back. Responding to the wireless message from the policemen, some other police also joined him. They lifted me up by pulling my hair. They handcuffed me behind and took me to the camp administrative office. I sat there for three hours facing a wall, without permission to move.
>
> The police gathered some people from the camp to give evidence against me. They asked them to narrate the incident. They photographed and transferred me to the nearest police station. And a police complaint was lodged against me. They finger printed, photographed and questioned me again. They forced me to squat on the floor without moving, for all the night.
>
> The next day morning, I was again transferred to another police station. They read the charge sheet to me, accusing that I assaulted the policemen and obstructed his duty. They kept me in custody for another two days, waiting for the court hearing day.
>
> At the court I was asked whether I assaulted any policemen. I denied this allegation. I also told the court that I would like to go back to Shek Kong so that I could attend my school. The court also asked me to narrate the incident. The court adjoined without a decision and the next trial was set for September 25, 1992, and I was taken back to the SKDC 'isolation section'. I am at the isolation section till then.
>
> I am writing to all of you to request your help in this case . I have done nothing wrong other than feel compassion for another camp resident.

Inability of certain asylees to cope with the camp situation turns their attention to self-destructive activities. A remarkably high number of suicides and attempted suicides was reported in the camps. These attempts may represent a desperate cry for help from an acute sense of hopelessness. As an indication of the level of mental health situation, about 30 trained case workers are offering counselling for an average of 1,200 clients every month in 1992.

Some of the psychological changes noticed among the asylees include a change in value systems, deterioration individual abilities, a qualitative change in motives for social relationships to selfish or manipulative. Perception of self identity is also rapidly changing toward the negative.

Child asylees without parents or immediate legal guardians with them (about 4,500 such children are in Hong Kong), are the most vulnerable group kept in detention centres. Internationally accepted norms of children's rights are denied them. Even though the CPA and UN Convention on the Rights of the Child consider a child as anyone below the age of 18, in Hong Kong detention centres the child asylee (without parental care) is considered as child, if only below 16 years in age on the day of the refugee status determination interview with the immigration department. The psychological and intellectual impairment of children due to incarceration will come to light only years later. By then the irreversible damage would already have been done to thousands of children.

All aspects of life in detention centres are under public glare. There is no privacy for a couple to air their differences. The disagreement often takes place in the open, thus, reducing the possibility of a reconciliation. Moreover, spouses are often a convenient scapegoat to target one's own frustrations due to the uncertainties of incarceration. An alarming level of spouse abuse has been reported.

"Marriage or cohabitation for protection" is a process by which a young single woman can buy protection. Many women depend on this form of protection rather than on whatever available official protection mechanisms of law and regulations. 'Marriage of convenience' is often arranged and regarded as an escape route from indefinite detention. There are various incidents of dissolution of traditional marriages (which are not officially registered) in favour of marrying someone from a resettled country to afford a presumably assured route to resettlement. In general, culturally appropriate family planning facilities are not available for any one other than those couples judged to be "officially married." The Family Planning Association of Hong Kong decides who should be the beneficiary of the family planning services. In some camps the Family Planning service unit has announced the names of the prospective female clients over the public address system to summon them to the clinics for family planning services.

During 1990, the birth rate of Vietnamese asylum-seekers attained a high of 55 per 1,000. In 1991, it levelled to 32, where it has remained with only slight decline to 30 in 1992. By comparison, the birth rate in Hong Kong was 12.8 per 1000. Teenage pregnancy and medical termination of pregnancy cases are exceptionally high among female child asylees (especially among the children without parental care). According to the Family Planning Association of Hong Kong reports, the number of legal abortions performed in the Vietnamese detention centres increased by 127 per cent to 246 in 1991 from thirty-seven in 1989.

Any chances of going out on excursions from the camps are cherished by the residents. These occasions occurred more frequently in police-managed camps than in those under the direction of the Corrections Department, owing to a more liberal allowance of initiative to certain agency staff. After a trip from the Shek Kong Detention centre to a local amusement park, organized for the elderly from the camp—a rare luxury materialized by the generosity of the park authorities and a local parish priest—a representative of the elderly group sent the following free-verse to the program organizer, showing their feelings towards freedom.

> We have no words to avail to show our gratitude to you and CFSI, for organizing a trip for us to go out. I am only an asylum seeker, trying to compose a few words to express our love to you. You gave us a precious memory. A memory to cherish in all my life.
>
> HERE FREEDOM:
>
> There is only a little, but enough a precious moment.
> We suffered so much in our lives.
> Miseries in life, in sea, miseries in our tip.
> But today we had a chance to see, to hear happiness.
> We are old and an asylum seeker in a strange country.
> Our fragile frames was detained.....
> Suddenly we saw greenery..
> The sea..
>
> I feel like a human being...
> I am a visitor....
> Let me run up to the mountain..
> Let me run down to the sea.
>
> The shark from under the ocean waved at us
> Wait a minute shark you want to come with me ?
> Let me take a snap' of you.
> Now I feel you are better than many human beings.
>
> Shark how old are you ?
> Your circus is marvellous.
> You can look at the cloud
> You can sing and play well.
>
> I could hear the bird singing from the top of the mountain.
> The greenery is so wonderful
> The peacock dances to the tune of the water falls.
>
> Oh poor birds in the cages.
> You are like me, I have nowhere to escape.
> I do not open my lips inside the barbed wire.
> But you can.
> And the sun set... I am back in the detention centre.
>
> (Mr. Ngoc Lau, Midnight, March 23, 1992.)

Conclusion

The detention centre is not only a community of Vietnamese asylees, it is also an area of interaction between two other forces- the camp administration and the various social service agency staff. The roles and functions of all these actors are interdependent and influence the outcome of the detention culture. This exposition has focused mainly on the asylum-seekers. Yet it is obvious that their present circumstances and future are largely shaped by forces and organizations over which they have little if any control. Most decisions both on the collective and individual outcome of asylum-seekers are taken without much consultation or indeed appreciation of the immediate life circumstances.

Separation and segregation of asylum-seekers and the subsequent factors in the Hong Kong detention centres create a phenomenon of community disorganization and demoralization. This process has both individual and group consequences. The most important observation I have made is about the direction of change. The changes taking place are self destructive and negative. Mostly this phenomenon is worse than the situation they experience in their own country. ■

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