

Unfinished Journey: the Road to Family Reunion

by Carmina Tang
and Eunice Man



Yu Siu-ching stood in front of the Legislative Council building, holding up a banner and shouting slogans under the statue of Themis, the blind folded goddess of justice. Ms Yu was protesting for the right of abode in Hong Kong alongside other mainland-born children of Hong Kong parents as she has done for years. Ten years ago she came here to protest every day. A decade has passed, but her hope for a family reunion has not changed.

“It is very lonely to live on the mainland alone, especially when there

are festivals,” she said. “Though life becomes harder and more fluctuating, I will never give up,” said the 38-year-old who is one of the many mainland-born children of Hong Kong residents fighting for their right of abode in Hong Kong.

Ms Yu’s family has been split since she was seven. Her parents and elder brother settled in Hong Kong in 1989. She was left living alone in the mainland as the policy at the time only granted Hong Kong residency to one of the two children born on the mainland.

Afterwards, Ms Yu kept applying for Hong Kong residency but her applications were always turned down. For a brief moment in 1997, when the Basic Law came into force after the handover of Hong Kong, she saw a glimpse of light. It looked like Ms Yu and others in her position might be granted the right of abode.

In January 1999, the Court of Final Appeal ruled the Basic Law allowed mainlanders whose mother or father was a permanent resident of Hong Kong before or after the handover to reside in the territory.

But her hopes were quashed just six months later, when an interpretation of the Basic Law by the Standing Committee of the National People's Congress overturned the Court of Final Appeal's ruling.

Since then, Ms Yu has been travelling across the boundary to visit her parents using two-way permits which are limited to three-month stays.

To strive for the right of abode, she has taken part in social campaigns organised in Hong Kong since 1999. "Whenever there is a campaign, I must attend," said Ms Yu, who is a member of Hong Kong Parents Association of Fighting for Children's Right of Abode, one of the concern groups helping abode seekers in Hong Kong.

With her constant travels to Hong Kong, she has, over time, come to see the city as her home. "Every time, when I return to the mainland, I miss Hong Kong," the cross-boundary traveller said.

In spite of repeated and exhausting cross-boundary travel, Ms Yu shows no sign of being discouraged from the long-standing battle. "I hope the room for negotiation can offer a better

legitimate alternative for those deprived from reuniting with their families."

It is even more bitter for parents to face being separated from their children.

"I am upset by it," said Hui Suk-chung, who was also at the protest with Yu Siu-ching, "Every day I hope they will be able to come to Hong Kong and take care of me and my paralysed husband... Sometimes I miss my son and daughter very much."

The 65-year-old mother of four came to Hong Kong from Fujian with her husband in 1978 on a one-way permit. But only two of her four children were given permanent residency in Hong Kong. She has been applying for residency rights for her children since 1979 when they were about five years old.

Her son and daughter are now in their 30s, but the family has yet to be reunited. To fight for their right to join her, she has also been taking part in the campaigns organised by the Hong Kong Parents Association of Fighting for Children's Right of Abode since its establishment in 2000.

Ms Hui said she usually protests with other parents outside the



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Yu Siu-ching (left) protests outside the Legislative Council building, to urge the government to ease family reunion.

Legislative Council building two to three times a month. "I have never thought of giving up," she said. "As an elderly mother, my biggest wish is to have a family reunion, to live happily with my sons and daughters."

Having lived in Hong Kong for 30 years, Ms Hui feels as if she belongs here. "Although the pace of living in Hong Kong is quite fast and it makes

people stressed, everything is good here," she said with a Fujian accent.

She lives in a small flat with six other family members. Her son, who works on construction sites, is the breadwinner in the family. Tough though it seems, she has never considered having their family reunion on the mainland. "Because we are Hong Kongers, I want my children to have their reunion in Hong Kong," Ms Hui said.

Despite their blood ties, the road to family reunion seems to be an endless journey for these abode seekers.

Jackie Hung Ling-yu, spokesperson for the Hong Kong Catholic Church's Justice and Peace Commission (HKJP), which has been helping the abode seekers and organising various campaigns, criticised the Hong Kong government for its unfair policies concerning abode seekers. She compared these to other immigration schemes, like the Quality Migrant Admission Scheme and Investment Immigration Scheme.

"We cannot say the abode seekers have no relationship with Hong Kong. Their parents are Hong Kong residents," Ms Hung said. "On the other hand,

those 'imported talents' do not have any intimate relations with Hong Kong but the door is widely open to them because of their professions. Why has our society become so utilitarian?" she said.

Ms Hung said the government tries to inculcate local people with the message that the rights of mainlanders should be well-respected only if they contribute to the local economy.

But even as the abode seekers continue to devote themselves to their long-running movement, the issue is no longer widely discussed among Hong Kong people, especially youngsters who were just children in 1999.

Father Franco Mella, a Catholic priest who has been a key figure in the abode seekers' movement, and commonly known as "Kam Tsai" said, "Hunger strikes, sit-ins and demonstrations, we keep doing these to voice our requests. It is only the news media that makes our movement seem low-profile. Actually over 10 years, we have put the same amount of effort in the movement."

In spite of the abode seekers' long-running movement, Father Mella said



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Father Franco Mella still helps the abode seekers, just as he did 10 years ago.

the Hong Kong government turns a deaf ear to their requests. "The government did not say it disapproved the abode seekers' right of abode but it keeps procrastinating," he said. "The abode issue is a black mark on our society. Our society will not develop well unless this problem is solved."

"Hopefully, the Legislative Council accepted our demands for facilitating family union and it will urge the governments of mainland China and Hong Kong to take action. If there is not anything achieved, we will strengthen our movement."

The abode seekers are still striving for their right of abode by organising various protests.

A Timeline of the Right of Abode Issue

The Basic Law came into force after the handover. It permitted the mainland-born children of Hong Kong residents to permanently reside in Hong Kong. The High Court was flooded with applications from Hong Kong permanent residents' mainland-born children claiming the right of abode under the Basic Law.



January 1999

The Court of Final Appeal made a judgment in line with the Basic Law, resulting in this group of people having the right to live in Hong Kong.

The Hong Kong government responded by fuelling concerns about the influx of 1.67 million mainlanders into the SAR. It asked the Standing Committee of National People's Congress for an interpretation of the particular Basic Law provision. This resulted in the overturning of the Court of Final Appeal's ruling and denied the abode seekers' claims.



COURTESY OF HKJP

June 1999



2000

The abode seekers started campaigns fighting for the right of abode, resulting in a series of dramatic events, like the Immigration Tower fire.

2009



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Before 1997

During British colonial rule, mainland Chinese could get the right of abode in Hong Kong via a one-way permit issued by the Chinese government allowing residents to leave the mainland for Hong Kong.

July 1997

