

PathFinders Limited
Oral Submission
To
HKSAR Legislative Council's
Subcommittee on the Rights of Ethnic Minorities
regarding
Difficulties Encountered by Ethnic Minorities in Applying for HKSAR Passports
7 May 2018

Good Afternoon.

My name is SADIA-BI-BI and I am Hong Kong-born of Pakistani heritage. I am a registered Social Worker in Hong Kong and I am a Case Manager at PathFinders.

Today, I represent 3 interests:

1. My own. I tried applying for the HKSAR passport and have a first-hand experience;
2. The children we help at PathFinders; and
3. On behalf of some of my friends who are of non-Chinese Asian descent and who have right of abode in Hong Kong.

First, about my own background. My father came to Hong Kong around 50 years ago. My mother joined him around 30 years ago. Both of are Pakistani. My parents are HKPR, so am I and my older sister. I am not married.

Around four years ago, I applied for naturalisation as a Chinese National so I could then apply for a HKSAR passport. I submitted the correct documentation and the filing fee of \$1,700. Over one year later, I was told that my application had failed. To this day I do not know why my application failed.

Around the same time, my sister also applied for naturalisation as a Chinese National. Her situation was similar to mine, except that she was married, to a HKPR Pakistani. My sister's application was successful and she then applied for and obtained a HKSAR passport. However, her application for naturalisation also took over a year to process.

On behalf of myself, my family and friends and the HK-born children PathFinders looks after, please consider the following 5 recommendations:

1. Provide much clearer and detailed criteria for applying for naturalisation and HKSAR passports;
2. Set a time frame, say 8 weeks, in which applications for naturalisation will be processed and the decision communicated to the applicant;
3. In the event an application is refused, provide reasons, a time in which to appeal and a process of appeal. Further, ensure free, independent legal advice in the appeal context is

available to naturalisation and HKSAR passport applicants who were born in HKSAR - it is a very tricky area of law to navigate;

4. Define the term 'Ethnic Minority' and/or change the nomenclature to 'Non-Chinese Nationals' or 'Non-Chinese residents' or similar and explain clearly how the term is to be used within the immigration and HKSAR passport acquisition process. The term 'race' is defined clearly in the Race Discrimination Ordinance and that definition could be applied in this context also;
5. For all children who are abandoned in Hong Kong and/or whose parents are absent and/or unable to act on their child's behalf, automatically confer them with HKSAR passports as a matter of right.

Finally, I was born, raised and educated in HK. I work here and I pay tax here. HK is my home and I am first and foremost a Hong Konger. So why am I not granted a HKSAR passport automatically and as a matter of right? If we can have an honest discussion around the answer to that question, my life, the lives of my family and friends and the lives of the children PathFinders looks after will be far more secure.

Thank you.