

Undocumented Children in Hong Kong: Endless Plight for Dehumanized Female Migrant Workers

News:

On 12th April, Time.com reported a special story about the 'heartbreaking' plight of undocumented children in Hong Kong who live without identity as they were born from foreign migrant workers. Around 340,000 migrant domestic workers from the Philippines and Indonesia came to Hong Kong seeking better economic opportunities. However, Hong Kong government bars them from the right to reside after seven years of residence in the territory unlike any other foreign nationals. And even though the overwhelming majority are women and predominantly of reproductive age, there is no child-care-protection system in the place, that where thousands of children who are born to illegal migrants live, of basic medical care, education and identification papers.

Hong Kong does not keep a public record of births by foreign domestic workers, but an organization named PathFinders says it has assisted 4,200 babies, children and women since 2007, while the number of child-protection cases it deals with has increased annually by 20%, and 53% in 2015 alone. "I think we're only seeing the tip of the iceberg in terms of unregistered children in Hong Kong," says Kay McArdle, the organization's CEO. Stories of children — and not only those born to domestic helpers — living underground without official identities, have haunted Hong Kong for years.

Comment:

Another tragic story for the vulnerable female migrant workers. Women enslavement in Hong Kong, which became the spotlight in the last few years, currently also generates the birth of stateless and undocumented children. Tragic. Hong Kong authorities clearly appreciate more economic growth rather than humanity values that belongs to these children. No wonder since almost all nationalist capitalist countries barely carried humanly mission toward what is so called "foreigner" or "foreign citizen", especially against those who are vulnerable and powerless like female migrant workers and their children. This is only another evidence that the national-state and the capitalist based system are merely an anti-human rights system. They shout about human rights if they only merit their national interest.

Clearly, the issue could not be repaired from the branches, but must be repaired from the roots. The repair should start from the true nature of capitalism that adores material gain as the main purpose of the society, so it inevitably becomes fuel for the dehumanization and exploitation of women and the vulnerable. This flawed value eventually led to an extreme economic inequality globally, then leading to mass migration from the poorer countries to developed countries only for search of jobs despite the low wages.

In contrast to the model of secular capitalistic national states, the Islamic ideology has a noble humanitarian mission to outline the full protection of women even if they are not native citizens where women are seen as an honor that must be protected, who should be treated as a dignified human being and NOT to be regarded only as cheap

labor. Injustice prevention and protection against for these women will only be realized in an ideological system of government for Muslims, that is the Khilafah system which has a political vision to implement ALL the principles and laws of Islam in society.

The Khilafah will apply the Islamic view of citizenship within the state. According to Islam, a person's citizenship is based upon the place which he chooses as his residence. Therefore, if he chooses to live within the Khilafah and accepts to be loyal to the state and live under the laws of Islam, he would be granted citizenship and be entitled to enjoy all the rights this entails, regardless of his nationality or even faith. This is in accordance to the hadith of the Prophet (saw) where he said, **«ثُمَّ ادْعُهُمْ إِلَى التَّحَوُّلِ مِنْ دَارِهِمْ إِلَى دَارِ الْمُهَاجِرِينَ وَأَخْبِرْهُمْ إِنَّهُمْ فَعَلُوا ذَلِكَ أَنْ لَهُمْ مَا لِلْمُهَاجِرِينَ وَأَنَّ عَلَيْهِمْ مَا عَلَى الْمُهَاجِرِينَ»** **“...call them to move from their land to the land of the Muhajireen (the emigrants to Madinah), and tell them if they do so, then they will have the rights which the Muhajireen enjoy and they will have duties like the duties upon the Muhajireen.”**

The Khilafah is therefore forbidden to discriminate at all on the bases of ethnicity, nationality, colour or belief in granting citizenship. It is also prohibited from discriminating between its citizens in any matter, be it ruling, judiciary, caring for their affairs, or protection of their life, honour or wealth. All citizens of the state must be treated equally regardless of religion, race or any other matter, and they enjoy the same justice and fairness, for Allah (swt) says, **﴿وَإِذَا حَكَمْتُمْ بَيْنَ النَّاسِ أَنْ تَحْكُمُوا بِالْعَدْلِ﴾** **“When you judge between people to judge with justice.”** [An-Nisa:58]. The Prophet (saw) also said, **«الإِمَامُ رَاعٍ وَمَسْنُونٌ عَنْ رَعِيَّتِهِ»** **“The Imam (Khalifah) is a guardian and he is responsible for his subjects.”** The term subjects are ‘general’ and include all the subjects, Muslim and non-Muslim alike. Even the *dhimmi* (non-Muslim citizens of the state) are therefore afforded the same rights and protection as the Muslims of the state, guaranteed the right to practice their religious beliefs without harassment from anyone, and cannot be coerced away from their faith. This is why at the time of the Khilafah, the Jews of Spain, who were being persecuted by its Christian rulers during the Spanish inquisition, fled to the Khilafah, knowing that they would be welcomed there and would be provided refuge and be given the right to live as citizens of the state.

Indeed, it can be understood that the re-establishment of this glorious state would raise the bar of the international norms and expectations by which states treat their minorities, refugees and populations which today has reached sub-human levels due to the appalling standards set by the self-serving, unethical, and heartless capitalist states and system which dominates international politics.

Written for the Central Media Office of Hizb ut Tahrir by

Fika Komara

Member of Central Media Office Hizb ut Tahrir