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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by International Probono Legal Services Association Limited, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[25 May 2025]

* Issued as received, in the language of submission only.



British National (Overseas) Visa Policy: The United Kingdom of Great Britain and Northern Ireland's Broken Promise to Hong Kong, China Immigrants

Introduction

Many Hong Kong, China immigrants who relocated to the United Kingdom of Great Britain and Northern Ireland under the British National (Overseas) [BN(O)] visa scheme, believing it would offer long-term stability, have instead faced significant challenges. This was substantiated by research from IPLSA, submitted as an early warning to the 140th Session of the International Covenant on Civil and Political Rights Committee (ICCPR) in early 2024.

By 2025 Q1, IPLSA's recommendations were reflected in the concluding observations of the 77th Session of the Committee on Economic, Social and Cultural Rights (CESCR) (E/C.12/GBR/CO/7), where the Committee will continue to monitor the United Kingdom of Great Britain and Northern Ireland's treatment of BN(O) migrants, holding the government accountable where it has fallen short of its obligations.

However, on 12 May 2025, the United Kingdom of Great Britain and Northern Ireland government published a white paper proposing stricter immigration controls, ostensibly to reduce migration numbers. These changes are alarming in their implications, as they threaten to exacerbate existing hardships for BN(O) migrants, validating IPLSA's earlier concerns.

Key Proposed Changes and Their Impact

Among the eight proposed measures, three stand out for their disproportionate impact on BN(O) migrants:

1. Stricter English Language Requirements – Higher proficiency thresholds for visa applicants, including dependants of skilled workers, risk disqualifying elderly Hong Kongers who face inherent language-learning barriers.
2. Reduced Skilled Worker Visa Eligibility – Narrowing the list of eligible occupations will limit alternative immigration routes, forcing BN(O) holders into a single, increasingly restrictive pathway.
3. Extended Qualifying Period – The qualifying period for indefinite leave to remain may double from five to ten years, with additional costs (a 40%+ visa fee hike), rendering long-term security unattainable for many.

A Betrayal of Promises

The United Kingdom of Great Britain and Northern Ireland's BN(O) policy in 2020 was initially framed as a moral obligation. In 2020, then-Prime Minister Boris Johnson declared in the South China Morning Post that the United Kingdom of Great Britain and Northern Ireland would offer Hong Kongers a "route to citizenship" in response to China's National Security Law, citing Britain's "ties of history and friendship."

Yet, the reality has starkly diverged from rhetoric. The lack of financial and vocational support, coupled with retroactive policy tightening, suggests a systemic failure to uphold commitments. The proposed changes disproportionately affect vulnerable groups, particularly elderly migrants who cannot meet heightened language demands, while the extended settlement period and spiralling costs imply a deliberate effort to dissuade long-term residency.

Compounding these issues further is evidence of differential treatment based on ethnicity. White migrants (such as those from Ukraine) benefit from a preferential fee structure in schools and universities, where they qualify for 'domestic' tuition rates. In contrast, Asian migrants are typically classified as international students and required to pay fees that are two to three times higher.

This disparity raises serious concerns about racial profiling, a point explicitly highlighted in IPLSA's previous reports and reiterated in the CESCR's concluding observations.

This approach not only erodes trust but also mirrors exploitative practices, wherein migrants are treated as transient revenue sources rather than valued contributors to society.

Recommendations

To realign the United Kingdom of Great Britain and Northern Ireland 's policy with its professed humanitarian aims, IPLSA urges the United Kingdom of Great Britain and Northern Ireland to take the following steps:

1. Comprehensive Integration Support– Expand funding for employment, housing, and education services to facilitate smoother transitions for BN(O) migrants.
 2. Clear, Attainable Pathways to Citizenship– Commit to the original five-year settlement period for BN(O) applicants as initially promised, address language barriers pragmatically, and streamline employment recognition to prevent systemic exclusion.
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