

**Panel on Home Affairs
Special Meeting on 20 July 2005**

**to discuss the Report of the Hong Kong Special Administrative Region
(HKSAR) under the Convention on the Rights of the Child**

- Submission from the Equal Opportunities Commission -

Background

1. The Equal Opportunities Commission is responsible for administering three anti-discrimination ordinances: the Sex Discrimination Ordinance, the Disability Discrimination Ordinance and the Family Status Discrimination Ordinance. Under the three ordinances, the Commission is charged with the responsibility of eliminating discrimination on the grounds of sex, marital status, pregnancy, disability and family status, eliminating sexual harassment and disability harassment and vilification, and promoting equality in opportunities between men and women, between persons with disabilities and without disabilities, and persons with family status and without family status.

2. Although the Commission has not submitted any parallel report to the United Nations in respect of the Report of the HKSAR under the Convention on the Rights of Child, it expresses concerns regarding the rights of child, especially in the area of education, to the United Nations, the Legislative Council and the relevant government bureaus and departments from time to time.

Progressive realization of the rights recognized in the Convention

3. Article 2 of the Convention requires that the Government shall respect and ensure the rights set forth in the Convention to each child within their

jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.

4. The present anti-discrimination legislations already cover discrimination on the basis of sex, marital status, pregnancy, disability, and family status. Educational establishments are prohibited from discriminating against students on these grounds. In anticipation of the enactment of the legislation against racial discrimination in the near future, the Commission expects that children, especially ethnic minority children, could enjoy a level playing field in education and full development of their potentials.

Education for Students with Disability

5. Article 23 of the Convention requires State Parties to ensure disabled child has effective access to and receives education in a manner conducive to the child's achieving the fullest possible social integration and individual development. The Commission notes and appreciates the Education and Manpower Bureau's (EMB) effort in integrating students with disability into mainstream schools in recent years. However, the Commission receives feedback from teachers from time to time claiming that they lack the necessary skill and knowledge to teach students with disability effectively.

6. The Commission urges the EMB to provide the necessary training and skill development to in-service teachers so that they can teach students with disability in an effective manner. Furthermore, such training and skill development should be included in the basic training of new teachers.

The Liberal Studies Curriculum

7. Under the Convention, States Parties agree that the education of the child shall be directed to the development of respect for human rights, the preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin.

8. The Commission notes that the EMB is currently reforming the academic structure for senior secondary education and higher education. It is considered that the Liberal Studies subject under the proposed senior secondary curriculum is the best vehicle to deliver such agreement on inclusion of human rights, equality and equal opportunity concepts in school curriculum. In this connection, the Commission urges the Curriculum Development Institute of the EMB to include these concepts in the Liberal Studies curriculum.

Education for Ethnic Minority Children

9. The Commission wants to point out that many ethnic minority children in Hong Kong face significant difficulties in schooling, especially learning Chinese, due to language barrier. Given that many, if not all, of these children are likely to use their native language at home, and that there is generally a lack of facilities to learn Chinese in local schools to cater for non-Chinese speaking students, these challenges would impact on their ability and opportunity to receive quality education.

10. Although the racial discrimination legislation is yet to be enacted, the Commission is concerned with the adverse effect of these difficulties on schooling of ethnic minority children. The Commission urges the EMB to take into consideration the difficulties faced by these children and to provide effective

means to integrate them into mainstream schools, and eventually to enable them to participate fully in our local society.

Conclusion

11. The Commission agrees with the principles enshrined in the Convention. The Commission is prepared to provide assistance by way of advice and experience sharing to the Government and related bodies to realize the rights recognized in the Convention, if so required. Should the Panel requires further information, the Commission would be happy to provide.

Equal Opportunities Commission

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