

**Duty Roster Members' Interview
with the Society for Community Organization (SOCO)
on Views on Integration Policy for Ethnic Minorities**

The deputation's views

SOCO considers that there is a lack of integration policy to meet the needs of ethnic minorities. The Government has not formulated an integration policy on employment, education, language, training, and access to Government services for these people.

2. According to a survey conducted by SOCO in March 2004, 43% of 300 ethnic minority adults were unemployed and only 7.4% of them succeeded in finding jobs through the Labour Department. 20.2% had not attended vocational training courses for upgrading their work skills in the construction industry as the course offered was not in English. According to SOCO, the Construction Industry Training Authority (CITA) was reluctant to provide interpretation service or hire English speaking teachers for non-Chinese speaking ethnic minorities. As a result, ethnic minorities were unable to upgrade their skills and this had reduced their chance of finding a job. In addition, one-third of the ethnic minorities could not communicate fully with the hospital staff due to communication barriers and racial discrimination. 20% felt that the staff were not helpful thus resulting in their receiving poor or inadequate treatment. As regards immigration, ethnic minorities encountered problems when they applied for dependent visas and permanent residence in Hong Kong. They were dissatisfied at being asked to declare their ability to support themselves without public funds. They also encountered problems when applying for public housing since their family structures were different from those of local Hong Kong residents.

3. The deputation urges the Administration to:

- (a) review the existing Government policies in the light of the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD);
- (b) formulate a comprehensive integration policy for ethnic minorities;
- (c) formulate an employment policy which can reduce the unemployment rate amongst ethnic minorities;
- (d) provide vocational training courses and tests in English or ethnic minority languages through the CITA;

- (e) recognize the skills of ethnic minorities and provide free qualifications assessment service through the Council for Academic Accreditation;
- (f) provide free interpretation service in public hospitals, clinics and Government departments;
- (g) review the application procedures for permanent residence and delete questions about dependence on public funds in applications for permanent residence; and
- (h) review the public housing application eligibility criteria with a view to eliminating discriminatory racial elements, the seven-year rule for public housing applications and the criteria for the number of families to be included in the same application.

4. The deputation's submissions and the information provided are at **Appendix A**.

The Administration's response

5. The Administration's response (**Appendix B**) is summarized as follows:

(a) International human rights treaties

The Government takes its obligations under the ICERD seriously and takes care to ensure that its policies and practices are consistent with these obligations. Such measures include legal advice on new policies in the process of formulation and of existing ones where they have been called into question. Equally important are the internal reviews conducted in response to the comments of the United Nation treaty monitoring bodies following their hearings of the reports submitted by the Government under the respective treaties. The policies and practices that SOCO has cited are ones that have been subjected to these processes and the Government is confident that they are consistent with its obligations under the ICERD.

(b) Channels to address difficulties and needs of ethnic minorities

The Government is aware that many Nepalese people, including the 'newly arrived Pakistanis', are experiencing difficulty with the settlement process. In this connection, the Government has established the following channels to address their difficulties and needs -

- (i) the Nepalese Community Forum;

- (ii) the Ethnic Minorities Forum;
- (iii) the Steering Committee for New Arrivals Services; and
- (iv) the Committee for the Promotion of Racial Harmony.

In addition, the Community Investment and Inclusion Fund provides grants for community-initiated projects to help the various minority communities to promote self-help and mutual help, build up support networks, and integrate into the local community. Amongst the various projects involving ethnic minority groups and the local community approved over the last 18 months, one such project specifically targets the Nepalese community.

(c) Employment services

The Labour Department provides a wide range of employment services to job seekers, irrespective of their nationality or race. All job seekers are welcome to use the services and facilities available at the Department's 11 Job Centres, where they can obtain information and referral services, and apply for jobs. Those who need more personalised and intensive employment services may join the Department's Job Matching Programme. English-speaking staff are available in all Job Centres to render assistance to non-Chinese speakers.

(d) Vocational training courses

All Government-funded vocational training institutions offer courses to all eligible persons irrespective of race, colour, national or ethnic origin. Some of the courses and trade tests in English on vocational training and construction industry are also provided for non-Chinese speakers who meet with the entry requirements. In addition, the Government has amended the Industrial Training (Construction Industry) Ordinance (Cap. 317) to allow CITA to contract out its training functions. This opens the way for other institutes and/or non-Government organizations to offer English-medium training courses for the construction industry or even, perhaps, in the trainees' own languages.

In response to Members' views, the Executive Director of CITA has instructed all written notices issued to non-Chinese speaking candidates/applicants to be in English. CITA has provided a list of trade tests which can be conducted in English. However, CITA has also stressed that the majority of its instructors are veteran tradesmen who have received little education and do not speak English. As such, they are not in a position to conduct trade tests in English and would not be able to produce course notes and test papers in English.

(e) Recognition of skills and provision of free qualification assessment service

The Government is developing a seven-level hierarchy of qualifications framework which is applicable across the academic, vocational and continuing education sectors in Hong Kong. It will provide objective benchmarks for quality assurance of different levels of qualifications so as to provide clear information on the standard of courses and providers. It will also ensure greater recognition of workers' skills, knowledge, experience, and greater portability of qualifications, especially for skilled workers with low educational attainment.

(f) Free interpretation service in public hospitals, clinics and Government departments

Hospitals and frontline departments maintain lists of part-time interpreters who live within convenient reach of the establishment in question and are prepared to work on an 'on call' basis. The provision of such service requires pre-arrangement and is not available for every language/dialect. Patients requiring interpretation service are requested to notify the hospital of the need for interpreters prior to their scheduled appointment date. The Hospital Authority will remind hospital staff to take note of patients who may need interpretation service and offer such service if required.

(g) Application procedure for permanent residence

The immigration policy is fair to all applicants and their sponsors; their races are irrelevant in the decision making process. Factors set out in paragraph 3(1)(a) of Schedule 1 to the Immigration Ordinance (Cap. 115) are the information which the Director of Immigration may request from an applicant, and the Director will make a determination whether an applicant has satisfied the permanence requirement after a careful assessment of all the factual information obtained pursuant to paragraph 3(1)(a) as a whole. As such, the Director will not reject an application on failure to satisfy a particular factor in paragraph 3(1)(a), including a reasonable means of income.

(h) Application process for public rental housing

There is no question of racial discrimination in the application process for public rental housing. All applicants are subject to the same eligibility criteria. Public housing resources are scarce in relation to demand and the Administration considers it fair and reasonable that longer-term residents should enjoy priority in the allocation of public rental housing. In the past few years, the Administration has relaxed certain requirements under the seven-year residence rule in order to speed up flat allocations for new

arrivals irrespective of their ethnicity or origin. The application procedures for public housing do not impose any restriction on family size, provided that the eligibility criteria are met. Family members and other dependent relatives who need to live with the applicant can be included in an application. All married family members included in an application must apply with their spouses, except for divorcees, widows/widowers, or spouses who are not living and have not landed in Hong Kong. Only one of an applicant's married children may be included in his/her application. This is a practical limitation imposed by the size of public rental housing units.

The Administration's comments on the survey conducted by SOCO

6. The Secretary for Home Affairs advises that SOCO has made no reference to the existing mechanisms for addressing the concerns of the minority communities and the channels of communication between those communities and the Government. In addition, SOCO has used a 'snowball effect' sampling method to obtain its statistical data. This is a non-probability sampling technique which is bound to yield biased results and the Administration cannot be sure to draw statistical inferences from the data so obtained. The technique's unreliability is apparent when one compares some of SOCO's tables with corresponding data from the 2001 Population Census which was compiled using the internationally recognised random sampling method (please refer to **Appendix C** for details). There are some wide discrepancies between the data sets. Nevertheless, the Administration admits that in some areas (such as employment) there may have been significant changes in the three years since the Census was taken. This could account for the differences between the household income figures but it is unlikely that the gender/age profiles, the highest education levels, and the pattern of employment by occupation would have changed so markedly.