



中華人民共和國香港特別行政區
Hong Kong Special Administrative Region of the People's Republic of China



立法會
LEGISLATIVE COUNCIL

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By hand
26 May 2008

For the personal attention of:
Mr. Stephen Lam
Secretary for Constitutional and Mainland Affairs
Government Secretariat
3rd floor, Main Wing
Central Government Offices
HONG KONG

Mr. Secretary

Race Discrimination Bill

I write on behalf of the bills committee to make a special request for you to attend our meeting on 3 June 2008 at 4:30 p.m.

Since we last corresponded, the Government has agreed to make certain amendments to the bill. The concession has been helpful in enabling progress to be made with the bill's scrutiny. However, as you know, a material gap still remains with respect to the large language exemption and the omission of a provision to make it unlawful for the Government to discriminate on the basis of race in the performance of its functions and exercise of its powers.

The need to close this gap is particularly urgent in light of the communication of the UN Committee on the Elimination of Racial Discrimination (CERD) to CPG in March 2008 to require the HKSAR to initiate amendments before 19 July 2008, when the present LegCo term ends.

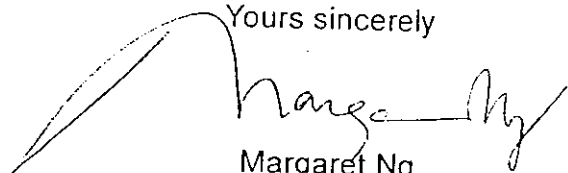
Members are extremely desirous that a satisfactory solution is reached in time for the bill to be passed. This is also the professed wish of the Government. From the information provided to Members in the last batch of papers from government departments most immediately concerned, it is plain that the supporting services to enable racial minorities to have access to vital public services are still sketchy and sporadic, and fall short of effectively eradicating existing forms of discrimination. While members accept that racial inequality is not eliminated in one day, many would like to see a programmatic approach adopted by the Government towards that goal, in line with the Government's much professed commitment.

In this context, Members have found the suggestion of the Equal Opportunity Commission of an "Equality Plan" based on the "Race Equality Scheme" in the UK particularly interesting (see LC Paper No. CB(2)1600/07-08(05) and paragraph 8 of LC Paper No. CB(2)1900/07-08(01)). The approach combines administrative autonomy and flexibility with commitment and legal protection. Given the simpler circumstances in Hong Kong, a correspondingly simplified system may well suffice. If the Government feels able to incorporate such a plan into the bill, I believe much of the misgivings expressed in the bills committee and the minorities community will be overcome.

Your participation in the bills committee's meeting on 3 June to discuss the Government's views regarding the EOC's suggestion is, therefore, crucial to how the bill will go forward.

With best regards

Yours sincerely

A handwritten signature in black ink, appearing to read 'Margaret Ng', written over a large, sweeping, light-colored scribble that extends to the left.

Margaret Ng
Chairman to Bills Committee