

**立法會**  
**Legislative Council**

Ref : CB2/HS/2/16

LC Paper No. CB(2)1204/16-17  
(These minutes have been seen  
by the Administration)

**Subcommittee on Rights of Ethnic Minorities**

**Minutes of the meeting  
held on Monday, 13 February 2017, at 2:30 pm  
in Conference Room 2 of the Legislative Council Complex**

- Members present** : Hon Paul TSE Wai-chun, JP (Chairman)  
Hon Abraham SHEK Lai-him, GBS, JP  
Hon LEUNG Kwok-hung  
Hon Claudia MO  
Hon LEUNG Che-cheung, BBS, MH, JP  
Hon Dennis KWOK Wing-hang  
Dr Hon Fernando CHEUNG Chiu-hung  
Dr Hon Helena WONG Pik-wan  
Hon IP Kin-yuen  
Hon POON Siu-ping, BBS, MH  
Dr Hon CHIANG Lai-wan, JP  
Hon CHU Hoi-dick  
Dr Hon Junius HO Kwan-yiu, JP  
Hon Holden CHOW Ho-ding  
Hon SHIU Ka-fai  
Hon SHIU Ka-chun
- Members absent** : Hon Alice MAK Mei-ken, BBS, JP (Deputy Chairman)  
Hon KWOK Wai-keung  
Hon Andrew WAN Siu-kin
- Public Officers attending** : Labour Department  
  
Miss Mabel LI Po-yi, JP  
Deputy Commissioner (Labour Administration)  
  
Mr Charles HUI Pak-kwan, JP  
Assistant Commissioner (Employment Services)

Miss Cindy YIM Lai-kwan  
Senior Labour Officer (Employment Services)  
(Operation)

Employees Retraining Board

Dr MA Chi  
Deputy Executive Director (Training Services)

Vocational Training Council

Professor Ronald CHUNG Chi-kit  
Deputy Executive Director

Construction Industry Council

Mr Wyllie FUNG  
Assistant Director (Training and Development)

Mr Y L CHU  
Senior Manager (Training and Development)

**Attendance by : Session One  
invitation**

Equal Opportunities Commission

Mr HO Wing-keung  
Senior Equal Opportunities Officer (Ethnic Minorities  
Unit)

The Civic Party

Mr Andy YU Tak-po

The Jane Goodall Institute (Hong Kong)

Mr Alfred CHUNG  
Roots and Shoots Coordinator

Economy Panel of the Liberal Party

Mr CHAN Ho-lim  
Convener

Hong Kong Ample Love Society Ltd.

Ms TSANG Cheuk-yi  
Chairlady

The Hong Kong Council of Social Service

Ms LAW Lam  
Officer (Family & Community Service)

Equal Access Group

Mr Shoaib HUSSAIN  
Assistant Programme Officer

The Catholic Diocese of Hong Kong Diocesan Pastoral  
Centre for Workers (Kowloon)

Mr LI Ka-shu  
Program Officer

A.I.M Group

Ms Sujata TAMANG

Ethnic Minorities Employment Concern

Mr Gharib NUMAN

Mr Ali MASOOR

Concern Group for Ethnic Minorities Employment

Mr Mohd NAWAZ

Session Two

Mr POON Wing-lok

Mr Mohammad Asif KHAN

Hong Kong Unison

Miss CHEUK Man-po

Ethnic Minorities Employment Concern Group in Kwai Chung

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Mr Minhas RASHAD  
Committee Member

Ethnic Minorities Rights Concern Group

Miss WONG Ching-sum  
Committee Member

Mr Amarpal SINGH

Health In Action

Miss Karen LAU  
Research and Advocacy Coordinator

HK Catholic Commission for Labour Affairs

Ms BUT Ngan-ping

Miss Gizem ARAT

Democratic Party

Mr Joshua FUNG Man-  
tao  
Community Officer

Hong Kong Construction Industry Employees General Union

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Mr TAM Wai-hung

金屬棚架工會

Ms Sherry TAMANG  
Secretary

坭水工會

Miss MA San-ngan  
幹事

English Mini Genius

Ms Nargas Sultana SHAKOOR  
Group Member

Support Hong Kong

Mr Narendra Kumar SHERPA  
Secretary

**Clerk in attendance** : Ms Joanne MAK  
Chief Council Secretary (2) 3

**Staff in attendance** : Miss Cindy HO  
Senior Council Secretary (2) 3

Mr Dennis HO  
Council Secretary (2) 3

Mrs Fanny TSANG  
Legislative Assistant (2) 3

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Action

**I. Employment support services for ethnic minorities**  
[LC Paper Nos. CB(2)758/16-17(01) and CB(2)518/16-17(01)]

**I).** The Subcommittee deliberated (index of proceedings attached at **Annex**

2. The Subcommittee received views from 27 deputations/individuals attending the meeting and noted that five written submissions were provided by organizations/individuals not attending the meeting. The Subcommittee noted the following major views expressed by the deputations/individuals:

(a) many deputations expressed concern about the language barrier encountered by ethnic minorities ("EMs") in employment particularly those with low proficiency in both English and Chinese:

(i) the Labour Department ("LD") should address the problem that some of these EM employees were asked to sign

employment contracts without fully understanding the employment terms and were subject to manipulation by their employers;

- (ii) it was noted that a majority of the public educational information and training courses of the Occupational Safety and Health Council were provided in Chinese only. EM employees who were not conversant in Chinese were unable to comprehend such information; and
  - (iii) the Chinese language proficiency requirements ("LPRs") specified in many job advertisements (for both civil service and private-sector positions) were too high for EM job seekers and it was doubted whether the requirements were based on the genuine need of the jobs. Some deputations suggested that employers might put in place support measures to remove the language barrier to facilitate EM employees. For example, employers of the catering industry could cater for their EM recruits who could not read/write Chinese by assigning numbers to food menu items, and bus companies could make arrangements to translate their internal notices into English to facilitate their EM staff's perusal of relevant notices.
- (b) while the Government had supported different departments/organizations to provide courses to EM school leavers to enhance their Chinese proficiency, there was no benchmark and accreditation across the board, making it difficult for the EM participants to progress to advance courses or to select the right course suitable for their level of Chinese proficiency;
  - (c) many skill training courses and trade tests in certain industries were conducted in Chinese, making it difficult for EMs to participate. Measures to raise the employability among EMs through vocational and language training were considered necessary;
  - (d) a number of deputations considered that the employment support services provided by LD to EM job seekers were inadequate. Besides, they found that the job vacancies displayed at the job centres and job fairs of LD were mostly low-skilled and low-paid. There was also a view that the Employment Services Ambassador Programme for Ethnic Minorities did not provide effective support to EM job seekers;

- (e) there was a strong view that the Administration should set up a dedicated EM Employment Division under LD, staffed by full-time EM employment officers with understanding of the EM cultures and languages to provide more tailored employment support to EM job seekers;
- (f) some deputations advised that many EM employees received lower wages than their Chinese counterparts for doing the same job. Besides, many EM job seekers who could speak Chinese were still screened out by employers merely due to their ethnicity;
- (g) the Administration should step up measures to enhance the provision of interpretation services, eliminate biases against EMs, raise the cultural awareness of EMs among employers, and promote awareness of occupational safety and labour rights amongst EM employees. The Administration should also take the lead to further review and lower LPRs in civil service recruitment, with a view to recruiting more EM staff in the Government; and
- (h) some deputations considered that measures should be introduced to provide incentive for employers to hire more EM people, such as by providing tax concession.

3. The Administration made the following initial response:

- (a) LD's job centres provided a wide range of dedicated employment services for EM job seekers as detailed in the Administration's papers [LC Paper Nos. CB(2)518/16-17(01) and CB(2)758/16-17(01)];
- (b) all job vacancy information displayed by LD was in both Chinese and English, unless the job vacancy concerned required applicants to be able to read and/or write Chinese as a prerequisite and in such cases the key information of the job vacancy would still be displayed in both Chinese and English. As of the date of the meeting, more than 700 job vacancies in different sectors displayed by LD did not have any Chinese LPR and around 1 400 job vacancies only required basic Cantonese-speaking ability;
- (c) the Code of Practice on Employment under the Race Discrimination Ordinance (Cap. 602) issued by the Equal Opportunities Commission ("EOC") reminded employers that using language as a recruitment criterion where it could not be justified might be race discrimination;

- (d) LD would not display any job vacancy with discriminatory employment terms. Any complaint received by LD about an employer advertising job vacancy at LD discriminating against EM job seekers would be investigated and/or referred to EOC for follow-up as appropriate;
- (e) LD worked in partnership with other organizations, such as the Occupational Safety and Health Council and workers' unions, to promote occupational safety to EM workers. Relevant promotional leaflets were translated into six EM languages, and lunchtime briefing sessions had been conducted for workers in the construction industry, including workers of South Asian origins, since late 2013;
- (f) the Construction Industry Recruitment Centre opened in January 2016 had been widely promoted among the EM communities. Job vacancy information suitable for EM job seekers was available there; and
- (g) in 2016, staff of LD's job/recruitment centres proactively introduced free on-the-spot telephone interpretation service to 2 601 EM job seekers, and there were 23 occasions where the job seekers required such service. Among these 23 occasions, only on one occasion the job seeker concerned waited for about 30 minutes because the interpreter was engaged, while job seekers on all of the other 22 occasions received on-the-spot telephone interpretation service within a short period of time. In January 2017, staff of LD's job/recruitment centres proactively introduced free on-the-spot telephone interpretation service to 172 EM job seekers, and there was one occasion where the job seeker required such service and the waiting time was less than five minutes.

Follow-up actions required of the Administration

Admin 4. The Administration was requested to:

- (a) provide supplementary information on the participating establishments and the kinds of jobs offered to EM job seekers in the large-scale and district-based inclusive job fairs organized by LD in 2016;
- (b) provide information on the number of employers participating (and their industries involved) in the sharing sessions organized by LD



in 2016 to help employers better understand the cultures of EMs and the skills to communicate with them;

- (c) provide more information on the new initiative of engaging two staff members proficient in EM languages to partner with experienced employment officers to serve EM job seekers at selected job centres on a pilot basis;
- (d) provide the number of complaint cases received by LD of alleged discriminatory practices of employers advertising job vacancies at LD encountered by EM job seekers; and
- (e) relay the views and suggestions of deputations which were outside the ambit of LD (e.g. opening up civil service jobs to EM applicants, providing tax concession to enterprises which employed EM people, etc.) to relevant bureaux for consideration.

### Motion

5. A motion (at **Annex II**) was moved by Ms Claudia MO at the meeting. The Chairman put the motion to vote. All members present voted for the motion. The Chairman declared that the motion was passed. The Administration was requested to provide written response to the motion.

Admin

### **II. Any other business**

6. The Chairman reminded members that the next meeting would be held on 13 March 2017 at 2:30 pm. Members agreed to discuss the housing problem of EMs at the next meeting (including the difficulties faced by EMs in gaining access to public housing services and in renting private housing).

7. There being no other business, the meeting ended at 5:14 pm.

Council Business Division 2  
Legislative Council Secretariat  
12 April 2017

**Proceedings of the meeting of the  
Subcommittee on Rights of Ethnic Minorities  
on Monday, 13 February 2017, at 2:30 pm  
in Conference Room 2 of the Legislative Council Complex**

<b>Time marker</b>	<b>Speaker(s)</b>	<b>Subject(s) / Discussion</b>	<b>Action required</b>
<i>Agenda item I - Employment support services for ethnic minorities</i>			
000434 - 000710	Chairman	Opening remarks	
000711 - 001034	Equal Opportunities Commission	Presentation of views [LC Paper Nos. CB(2)797/16-17(01) and CB(2)551/16-17(01)]	
001035 - 001333	The Civic Party	Presentation of views [LC Paper No. CB(2)823/16-17(01)]	
001334 - 001600	The Jane Goodall Institute (Hong Kong)	Presentation of views [LC Paper No. CB(2)773/16-17(01)]	
001601 - 001839	Economy Panel of the Liberal Party	Presentation of views	
001840 - 002147	Hong Kong Ample Love Society Ltd.	Presentation of views	
002148 - 002453	The Hong Kong Council of Social Service	Presentation of views	
002454 - 002824	Equal Access Group	Presentation of views	
002825 - 003141	The Catholic Diocese of Hong Kong Diocesan Pastoral Centre for Workers (Kowloon)	Presentation of views	
003142 - 003428	A.I.M Group	Presentation of views	
003429 - 003643	Ethnic Minorities Employment Concern	Presentation of views	
003642 - 004001	Mr Ali MASOOR	Presentation of views	

Time marker	Speaker(s)	Subject(s) / Discussion	Action required
004002 - 004232	Concern Group for Ethnic Minorities Employment	Presentation of views	
004233 - 004939	Chairman Administration	The Administration's initial response to the views and concerns expressed by the deputations	
004940 - 005410	Chairman Ms Claudia MO Administration	<p>Ms Claudia MO considered that the Labour Department ("LD") should strengthen its employment support services for ethnic minority ("EM") job seekers to meet their specific needs. She requested the Administration to consider setting up an EM Employment Division to provide more effective employment support services for EM job seekers. She pointed out that the unemployment rate of EM people in Hong Kong was high (i.e. about 23%) despite the overall unemployment rate was only less than 4%.</p> <p>In response to Ms MO's question, the Administration said that to raise the multi-cultural sensitivity of frontline staff of the job/recruitment centres of LD, LD had, among other things, strengthened collaboration with the Equal Opportunities Commission ("EOC") to provide staff training on equal opportunities and cultural diversity.</p> <p>Ms MO expressed concern that some EM employees complained that they received lower wages than their Chinese counterparts for the same job and were provided with no employment contract.</p>	
005411 - 005836	Chairman Mr SHIU Ka-chun Administration	<p>Noting from paragraph 7 of the Administration's paper [LC Paper No. CB(2)758/16-17(01)] that only 55 EM job seekers were offered employment through the large-scale inclusive job fairs organized by LD and only 35 EM job seekers were offered employment through the district-based inclusive job fairs, Mr SHIU Ka-chun queried the effectiveness of the job fairs. At the request of Mr SHIU, the Administration undertook to provide supplementary information on the participating establishments and the kinds of jobs offered to EM job seekers in the large-scale and district-based inclusive job fairs organized by LD in 2016.</p> <p>As for the sharing sessions organized by LD to help employers better understand the cultures of EMs and the skills to communicate with them, the Administration agreed to provide information on the number of participating employers and their industries involved in the sharing sessions in 2016.</p>	<p><b>Admin</b> (Paragraph 4 of minutes)</p> <p><b>Admin</b> (Paragraph 4 of minutes)</p>
005837 - 010252	Chairman Mr Dennis KWOK Administration	Referring to the submission of the Civic Party [LC Paper No. CB(2)823/16-17(01)], Mr Dennis KWOK enquired whether the Administration would consider establishing an EM Employment Division to coordinate efforts on employment support services	

Time marker	Speaker(s)	Subject(s) / Discussion	Action required
		<p>for EM job seekers. He also asked about the measures taken by the Administration to encourage employers to hire more EMs.</p> <p>The Administration advised that LD had proactively promoted the working abilities of EMs among employers and reminded employers advertising job vacancies at LD to consider the genuine need of the jobs involved when specifying the language proficiency requirements. LD had also been making continuous efforts to canvass vacancies suitable for EM job seekers via its vast employer network to enhance their employment opportunities. In addition to LD's existing wide range of dedicated employment services for EM job seekers, two staff members proficient in EM languages would be engaged to partner with experienced employment officers to serve EM job seekers at selected job centres on a pilot basis ("the Pilot Scheme").</p>	
010253 - 010817	Chairman Dr Fernando CHEUNG Administration	<p>Dr Fernando CHEUNG urged the Administration to enhance EMs' employment opportunities and recruit more EM people to the civil service. He called on the Administration to provide a placement service scheme similar to that currently implemented for persons with disabilities.</p> <p>In response to Dr CHEUNG's enquiry on the Pilot Scheme, the Administration advised that two EM Employment Assistants would be engaged by LD and each be deployed to the job centre in Kowloon West and Employment in One-stop in Yuen Long districts where more EM people resided. Their duties included, among other things, partnering with experienced employment officers to provide employment services to EM job seekers. Their entry requirements were completion of Form 5 (or equivalent), effective communication in English or Chinese and proficiency in at least one of the four South Asian languages (i.e. Hindi, Nepali, Urdu or Punjabi) etc., and they would be offered a monthly salary of \$12,120. The Administration would provide more information on the Pilot Scheme for members' reference.</p>	<b>Admin</b> (Paragraph 4 of minutes)
010818 - 011318	Chairman Dr Junius HO Administration	<p>Dr Junius HO expressed concern that the inclusive job fairs organized by LD had a relatively low success rate for both EM and non-EM job seekers. He asked whether the jobs available were unattractive to EMs or whether it was due to the language barrier. He enquired about the number of employment offers for both EM and non-EM job seekers in relevant job fairs.</p> <p>The Administration advised that:</p> <p>(a) in 2016, for the two large-scale inclusive job fairs offering 7 042 job vacancies, 420 job seekers (including 55 EMs)</p>	

Time marker	Speaker(s)	Subject(s) / Discussion	Action required
		<p>were offered employment. For the 12 district-based inclusive job fairs offering 2 754 job vacancies, 119 job seekers (including 35 EMs) were offered employment;</p> <p>(b) the Administration would continue to evaluate the effectiveness of relevant arrangements. The Administration confirmed that interpretation service was provided on the spot at these inclusive job fairs; and</p> <p>(c) the Administration would continue to publicize the inclusive job fairs vigorously amongst the EM communities so as to attract EMs to participate in the events.</p>	
011319 - 011800	Chairman Mr POON Siu-ping Administration	<p>Mr POON Siu-ping requested the Administration to enhance the employability of EM people by strengthening the provision of vocational training for them. As regards the Employment Services Ambassador ("ESA") Programme for Ethnic Minorities ("the Programme"), Mr POON noted that some ESAs had quitted from the Programme prematurely and enquired whether the Administration had assessed the effectiveness of the Programme since its implementation in 2014. He considered that more EM Employment Assistants should be recruited for the Pilot Scheme so that they could station at each of the LD job centres instead of only two of these centres.</p> <p>The Administration responded that among the first four batches of 63 ESAs who had received training under the Programme, 27 secured employment, 22 pursued further studies and the remaining 14 ESAs did not intend to find work for the time being due to various personal reasons.</p>	
011801 - 011915	Chairman	<p>Voting on a motion moved by Ms Claudia MO</p> <p>The Administration was requested to provide a written response to the motion.</p>	<b>Admin</b> (Paragraph 5 of minutes)
<i>Break</i>			
013024 - 013106	Chairman	Opening remarks	
013107 - 013427	Mr POON Wing-lok	Presentation of views	
013428 - 013749	Mr Mohammad Asif KHAN	Presentation of views	
013750 - 014059	Hong Kong Unison	Presentation of views [LC Paper No. CB(2)823/16-17(02)]	

<b>Time marker</b>	<b>Speaker(s)</b>	<b>Subject(s) / Discussion</b>	<b>Action required</b>
014100 - 014413	Ethnic Minorities Employment Concern Group in Kwai Chung	Presentation of views	
014414 - 015530	Ethnic Minorities Rights Concern Group	Presentation of views	
015531 - 014907	Mr Amarpal SINGH	Presentation of views	
014908 - 015215	Health In Action	Presentation of views [LC Paper No. CB(2)773/16-17(03)]	
015216 - 015530	HK Catholic Commission for Labour Affairs	Presentation of views	
015531 - 015854	Miss Gizem ARAT	Presentation of views [LC Paper No. CB(2)773/16-17(04)]	
015855 - 020149	Democratic Party	Presentation of views	
020150 - 020352	Hong Kong Construction Industry Employees General Union	Presentation of views [LC Paper No. CB(2)861/16-17(01)]	
020353 - 020818	金屬棚架工會	Presentation of views	
020819 - 020925	坭水工會	Presentation of views	
020926 - 021221	English Mini Genius	Presentation of views	
021222 - 021615	Support Hong Kong	Presentation of views [LC Paper No. CB(2)787/16-17(01)]	
021616 - 021930	Mr Amarpal SINGH	Presentation of views	
021931 - 022551	Chairman Administration	The Administration's initial response to the views and concerns expressed by the deputations.  The Chairman requested the Administration to provide information on the number of complaint cases received by LD of alleged discriminatory practices of employers advertising job vacancies at LD encountered by EM job seekers.	<b>Admin</b> (paragraph 4 of minutes)

Time marker	Speaker(s)	Subject(s) / Discussion	Action required
		<p>The Administration was also requested to relay views and suggestions of deputations which were outside the ambit of LD (e.g. opening up civil service jobs to EM applicants, providing tax concession to enterprises which employed EM people, etc.) to relevant bureaux for consideration.</p> <p><i>(Extension of meeting)</i></p>	<p><b>Admin</b> (paragraph 4 of minutes)</p>
022552 - 023010	Chairman Ms Claudia MO Administration	<p>Ms Claudia MO requested the Administration to follow up the discriminatory practices experienced by some deputations such as that they were refused employment when the employers were told their ethnic backgrounds. She also expressed concern that very few vocational training courses were offered in English. She pointed out that the driving licence tests of different public transport were also not conducted in English. She reiterated her request that the Administration should seriously consider setting up an EM Employment Division.</p>	
023011 - 023429	Chairman Mr POON Siu-ping Administration	<p>Mr POON Siu-ping considered that LD should review the effectiveness of its employment services as he noted that some deputations were unable to get any job offer after visiting the job centres to seek employment assistance for many times. He also requested the Administration to provide more details of the "EM Skills Enhancement Courses" for EM construction workers.</p> <p>The Administration responded that:</p> <p>(a) the "EM Skills Enhancement Courses" offered by the Construction Industry Council provided 160 training places and all of them were conducted in English; and</p> <p>(b) the Vocational Training Council ("VTC") offered dedicated vocational and professional education and training programmes to non-Chinese speaking ("NCS") youth and adults to meet their multifarious training needs. In 2015-2016 academic year, VTC offered about 20 dedicated full-time and part-time programmes (including construction-related training courses such as electrical works and welding) for NCS students to cater for their different learning needs.</p> <p>Mr POON suggested that consideration should be given to organizing similar courses for other industries experiencing shortages of labour, such as transportation and catering. The Administration responded that LD had relayed the suggestion to the bureaux concerned for consideration subsequent to the last meeting of this Subcommittee in January 2017.</p>	

Time marker	Speaker(s)	Subject(s) / Discussion	Action required
023430 - 024236	Chairman Dr Fernando CHEUNG Mr Mohammad Asif KHAN HK Catholic Commission for Labour Affairs Administration	<p>Dr Fernando CHEUNG expressed dissatisfaction that the Administration disagreed to set up an EM Employment Division. He expressed doubt whether the Pilot Scheme would provide effective employment assistance to EM job seekers.</p> <p>Dr CHEUNG requested the Administration to promote awareness of EM employees/potential employees of occupational safety and legal protection under the labour law as suggested by EOC [LC Paper No. CB(2)797/16-17(01)]. He expressed concern that some EM employees were not provided with any employment contracts to protect their rights under the Employment Ordinance and they received a lower salary than what had been agreed verbally by their employers.</p> <p>In response to Dr CHEUNG's concern about the low utilization rate of the interpretation service at LD job centres, a deputation advised that it was because some EM job seekers were not aware of the service. The Administration advised that LD's staff including ESAs at the job/recruitment centres proactively provided information on the free interpretation service to EM job seekers. Moreover, posters on the provision of free interpretation services to job seekers were displayed at all LD job/recruitment centres.</p> <p>The Administration also informed members that leaflets on labour laws and occupational safety and health were produced in different EM languages. Besides, LD collaborated with workers' unions in organizing relevant promotional talks and exhibitions for employees in the construction industry, and lunchtime briefing sessions were conducted for South Asian workers in the construction sites. LD also launched various promotional activities to enhance EMs' understanding of their rights and benefits under labour laws.</p>	
<i>Agenda item II - Any other business</i>			
024237 - 024441	Chairman Ms Claudia MO Dr Fernando CHEUNG	Closing remarks	



**少數族裔權益事宜小組委員會**

**在 2017 年 2 月 13 日會議上就議程第 I 項  
"為少數族裔人士提供的就業支援服務"通過的議案**

"本小組委員會要求政府盡快於勞工處設立少數族裔就業科，統籌有效的少數族裔就業策略，為非華語人士提供適切的就業支援服務。"

動議人：毛孟靜議員

(Translation)

**Subcommittee on Rights of Ethnic Minorities**

**Motion passed under agenda item I  
"Employment support services for ethnic minorities"  
at the meeting on 13 February 2017**

"This Subcommittee requests the Government to expeditiously set up an Ethnic Minority Employment Division in the Labour Department to coordinate an effective employment strategy for ethnic minorities and provide appropriate employment support services for non-Chinese speaking people."

Moved by : Hon Claudia MO