

3 January 2000

Mrs. Constance Li,
Clerk to Panel,
Panel on Home Affairs,
Legislative Council of HKSAR
Legislative Council Bldg.
8 Jackson Road, C
Hong Kong.

Dear Mrs. Li,

Thank you for your letter No. 2/PL/HA dated 21 December 1999 inviting the Chamber to send its representative to attend the meeting on Monday, 10 January 2000, on HKSAR's Report under the International Convention on Elimination of All Forms of Racial Discrimination.

By way of written submission, I am directed to state that it is our view that appropriate legislation should be passed to make racial discrimination punishable under law. We consider this important for the following reasons:

- 1) The only argument against such legislation would seem to be that there are adequate provisions in the laws of Hong Kong to prevent racial discrimination by official agencies and other public bodies and that acts of such discrimination by private individuals would be difficult to prove. We however feel that the existence of stringent laws in this respect would act as a guideline and reminder to private individuals to refrain from acts of racial discrimination. The practical difficulties in proving that a person committed an act of racial discrimination should not come in the way of such legislation being put in place. After all there are a good number of instances of criminal offences going unpunished for want of evidence. That cannot be a justification for scrapping such laws.
- 2) The placing of an appropriate law in the statute book of Hong Kong will meet the requirements of the International Convention on Elimination of All Forms of Racial Discrimination.

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We are grateful to the Hon. Choy So-yuk for inviting the Chamber to send representatives to attend the meeting. However, having made this written submission, we do not propose to send a representative.

Please accept and convey to the Hon. Choy So-yuk our thanks once again for giving us this opportunity to express our views on the subject.

Yours sincerely,

C.N. Subramanian
Secretary General