

## **The X-Files in Hong Kong**

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On the Report of the HKSAR under the International Convention  
On Elimination of All Forms of Racial Discrimination

Good Afternoon everyone. I would like to thank the LegCo Panel on Home Affairs for giving me the privilege to present our views on the issue of racial discrimination in the HKSAR.

We are alarmed by the increase in the number of cases of discrimination committed against migrant workers in Hong Kong. These are the X-files in Hong Kong, X because these cases are not even acknowledged as cases of discrimination. X because they stem from discriminatory policies and practices and hidden within the confines of Departmental Orders which cannot be questioned even in the Court of Law. The New Conditions of Stay for Foreign Domestic Helpers of the Immigration Department is an infamous example of this. Worse, these discriminatory practices are being done in the bogus pretext of protecting the rights and welfare of the local workers .

Among these X-files are the following:

1. Recently, the charitable status of Bethune House Migrant Women's Refuge was put into question. The reasons given were that **“Asian women migrant workers are not considered poor”** and that they are **“numerically too small to constitute a community.”** These are blatant discriminatory statements coming from a government department directed towards the Asian women migrant workers who are without jobs and without a place to stay in Hong Kong.
2. There were also cases where migrant workers are denied access to legal counsel, not allowed to call their friends nor were cautioned before a statement was taken while in police custody. This is a matter of practice and not matter of policy.
3. Those who have on-going cases at the Labor Department are not allowed to process a new employment contract or to change employment by the Immigration Department while employers can employ another domestic helper even though they are involved in a labor dispute.
4. Moreover, foreign domestic helpers who are caught performing illegal work are prosecuted with a vengeance while the cause of the illegal work – the unscrupulous employers - goes scot-free. Their chances to stay are adversely affected and their opportunities to work in Hong Kong are jeopardized.

These are just few of the many cases that we have handled, there are still more.

If this report will sincerely serve its purpose then it should speak of the truth. The truth that racial discrimination exists and persists in Hong Kong. The truth based on the experiences presented by the different groups who are gathered here today.

Thank you.

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