

Submission to the Legislative Council on the Proposed Race Discrimination Bill

United Filipinos in Hong Kong

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The United Filipinos in Hong Kong believes that a legislated racial discrimination bill in Hong Kong is long overdue.

However, it is disappointing that the issue of the New Conditions of Stay or Two-Week Rule is wholly exempted from the proposed bill currently on the table. The NCS, though formally only a policy of the Immigration Department, impacts on major aspects of the lives of FDHs.

We believe that provisions for its inclusion must be made in the bill. The NCS must be made illegal by the law for the following reasons:

1. The NCS is a concrete policy that targets foreign domestic helpers – the single largest community of ethnic minorities in a particular line of work. The fact that it impacts more than 220,000 members of the Hong Kong society who are from different racial background make it as a clearly racial issue.
2. The NCS, since its implementation in 1987, has been criticized by migrant's organizations, human rights groups and advocates as discriminatory to FDHs who are from various races. This is an unjust policy.
3. The committee for the Covention for the Elimination of Discrimination Against Women (CEDAW) has judged the NCS as discriminatory. If Hong Kong claims to follow international conventions, it should do so without reservations.
4. The NCS sets the ground for further abuse and exploitation of foreign domestic helpers as it forces FDH to endure various rights violations in exchange for the bleak situation of unemployment or difficult and long legal battles.

If the proposed bill will not abolish, or pave the way for the abolition of, the NCS, it will not fully serve the sector of ethnic minorities that is very much visible and has contributed much to the Hong Kong society – the foreign domestic helpers.

As such, the continued implementation of the NCS is a stumbling block towards the realization of a Hong Kong society that protects the vulnerable from different forms of discrimination.

Thank you very much.