

Legislative Council Panel on Constitutional Affairs

Development on efforts to promote racial harmony and racial equality since the enactment of the Race Discrimination Ordinance

Purpose

This paper sets out the major developments in relation to the efforts of the Administration on the promotion of racial harmony and racial equality, including provision of support services for ethnic minorities, since the enactment of the Race Discrimination Ordinance (RDO) last year.

Elimination of Racial Discrimination

2. Since the enactment of the RDO in July 2008, the Administration has been working closely with the Equal Opportunities Commission (EOC) to prepare for the full implementation of the Ordinance targeted for mid-2009.

3. The following steps in relation to the implementation of the RDO have been taken -

- (a) **Commencement of certain sections of RDO:** A number of sections relevant to empowering the EOC to exercise its functions under the Ordinance were brought into force on 3 October 2008.
- (b) **Code of Practice on Employment:** The Code provides guidance on RDO in respect of employment-related matters. EOC launched a consultation exercise on the draft Code on 13 October 2008 to seek public views. The consultation period ended on 19 January 2009. The EOC has revised the Code, taking into account views received, and gazetted it on

8 May 2009. The revised Code is being considered by a subcommittee in the Legislative Council.

- (c) **Race Discrimination (Proceedings by the Equal Opportunities Commission) Regulation:** The Secretary for Constitutional and Mainland Affairs made the Regulation on 11 March 2009. The Regulation will empower the EOC, in case where a victim of racial discrimination, harassment and vilification may bring proceedings under section 70 of the RDO but has not done so, to bring proceedings as if the EOC were that person. The Regulation has been scrutinized by a subcommittee in the Legislative Council, and we will seek formal approval by the Legislative Council on 24 June 2009.

- (d) **Race Discrimination (Formal Investigations) Rules and Race Discrimination (Investigation and Conciliation) Rules:** The rules, made by the EOC, prescribe matters relevant to conducting formal investigations under section 64 of the RDO; issuing enforcement notices under section 71 of the RDO; and conducting investigation and conciliation of complaints under section 78 of the RDO. The rules were gazetted on 8 May 2009 and are being scrutinized by a subcommittee in the Legislative Council.

4. Separately, the EOC has been publicizing the RDO and its requirements to government departments, the private sector and the wider community. The EOC had organized more than 107 briefing sessions for different stakeholders including government departments, public bodies, non-government organizations and employers' groups to help them better understand the RDO and the Code. Upon full implementation of the Ordinance, the EOC will be responsible for handling complaints regarding racial discrimination as well as promotion and publicity efforts in respect of racial harmony and equality.

5. The Administration and the EOC will continue to work closely with the Legislative Council with a view to implementing the RDO and the relevant legal instruments around mid-July 2009.

Support Services for Ethnic Minorities

6. The Administration is taking steps to enhance support measures to facilitate the ethnic minorities in accessing public services.

7. The Administration announced in 2008 that four support service centres for ethnic minorities would be set up in different regions to provide interpretation services for ethnic minorities using public services, Chinese and English language classes and other activities to facilitate their integration into the community. After consulting relevant ethnic minorities groups and the Legislative Council, the Administration invited non-government organizations (NGOs) to submit proposals on the establishment and operation of these centres in December 2008. A total of 22 applications from 16 NGOs were received. After careful examination, four NGOs have been selected to run the centres. The Hong Kong Christian Service, the International Social Service - Hong Kong Branch, Christian Action and Yuen Long Town Hall Management Committee Limited will establish the centres in Kwun Tong, Wan Chai, Tuen Mun and Yuen Long respectively. The centre operated by the Hong Kong Christian Service provides centralized telephone interpretation service in addition to other support services. These centres are expected to commence their services from mid-2009.

8. The Race Relations Unit (RRU) under the Constitutional and Mainland Affairs Bureau has continued to provide support services to promote racial harmony and facilitate the integration of ethnic minorities in the community. The measures taken by the RRU or through funding grants to NGOs include community development teams, radio programmes in minority languages, language courses (on English and Cantonese), service guidebooks, and mobile information service at the airport.

Other relevant developments

Interpretation services at public hospitals

9. To enhance the support for the ethnic minorities and facilitate their use of public health care services, the Hospital Authority has since April 2008 arranged a service provider (i.e. the HKSKH Lady MacLehose Centre) to provide interpretation services for four languages (i.e. Urdu, Nepali, Hindi and Punjabi) at public hospitals and clinics under its management, in addition to interpretation services provided by court interpreters and other parties (such as volunteers, relatives and friends of patients and consulate offices). To strengthen the interpretation service, starting from June 2009, interpretation services for eight more languages (namely, Bahasa Indonesia, Vietnamese, Thai, Korean, Bengali, Japanese, Tagalog and German) will also be provided by the service provider commissioned by the Hospital Authority.

Education support Measures

10. On the education front, the Education Bureau is committed to facilitating all non-Chinese speaking (NCS) students in adapting to the local education system and integrating into the community as early as possible. Various support measures have been put in place and are focused on three main areas -

- (a) enhancing the support for the teaching and learning of the Chinese Language through development and distribution of learning materials and teaching reference materials covering both primary and secondary levels to schools and NCS students;
- (b) strengthening our focused support to schools with NCS students by increasing the number of designated schools with a view to facilitating the development of supporting teaching materials for NCS students and the sharing of experience with other schools admitting NCS students; and

- (c) reinforcing the after-school support services for NCS students through the establishment of more Chinese Language Learning Support Centres operating at different locations.

The Parent Information Package in major ethnic minority languages is available for distribution to parents at the Maternal and Child Health Centres and has been provided to the non-governmental organizations for reference.

Administrative guidelines to promote racial equality

11. The Constitutional and Mainland Affairs Bureau is working with relevant policy bureaux and departments on the preparation of administrative guidelines to promote racial equality. We will consult the Panel on Constitutional Affairs of LegCo and relevant parties when the draft is ready.

Conclusion

12. The Government is committed to the elimination of racial discrimination and promotion of racial equality. We will continue to review and strengthen the relevant measures from time to time.

Constitutional and Mainland Affairs Bureau
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