

立法會
Legislative Council

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LC Paper No. CB(2)2030/17-18
(These minutes have been seen
by the Administration)

Panel on Constitutional Affairs

Minutes of meeting
held on Monday, 16 July 2018, at 2:30 pm
in Conference Room 1 of the Legislative Council Complex

Members present : Hon Martin LIAO Cheung-kong, SBS, JP (Chairman)
Hon Holden CHOW Ho-ding (Deputy Chairman)
Hon Jeffrey LAM Kin-fung, GBS, JP
Hon WONG Ting-kwong, GBS, JP
Hon Starry LEE Wai-king, SBS, JP
Hon CHAN Kin-por, GBS, JP
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Hon WONG Kwok-kin, SBS, JP
Hon Mrs Regina IP LAU Suk-ye, GBS, JP
Hon Paul TSE Wai-chun, JP
Hon Claudia MO
Hon Steven HO Chun-yin, BBS
Hon MA Fung-kwok, SBS, JP
Hon Charles Peter MOK, JP
Hon CHAN Chi-chuen
Hon Alice MAK Mei-kuen, BBS, JP
Hon Dennis KWOK Wing-hang
Hon Christopher CHEUNG Wah-fung, SBS, JP
Dr Hon Fernando CHEUNG Chiu-hung
Dr Hon Helena WONG Pik-wan
Hon IP Kin-yuen
Dr Hon CHIANG Lai-wan, SBS, JP
Hon CHUNG Kwok-pan
Hon Alvin YEUNG
Hon CHU Hoi-dick
Hon Jimmy NG Wing-ka, JP
Hon LAM Cheuk-ting
Hon Wilson OR Chong-shing, MH
Hon Tanya CHAN
Hon CHEUNG Kwok-kwan, JP

Hon HUI Chi-fung
Hon LAU Kwok-fan, MH
Dr Hon CHENG Chung-tai
Hon AU Nok-hin

**Members
absent** : Ir Dr Hon LO Wai-kwok, SBS, MH, JP
Hon Kenneth LAU Ip-keung, BBS, MH, JP

**Public Officers
attending** : Mr Andy CHAN Shui-fu, JP
Under Secretary for Constitutional and Mainland Affairs

Mr D C CHEUNG
Principal Assistant Secretary for Constitutional and
Mainland Affairs

Miss Cathy LI King-tsz
Assistant Secretary for Constitutional and Mainland
Affairs

Mr Billy WOO Tak-ying
Principal Assistant Secretary for Security (Review)

Ms Teresa CHAN Mo-ngan
Principal Assistant Secretary for Education (Education
Commission and Planning)

Mr Joe NG Ka-shing
Principal Education Officer (Curriculum Development) 1
Education Bureau

Ms Queenie WONG Ting-chi
Assistant Commissioner for Labour (Policy Support)
Labour Department

Mr Vernon LOH
Senior Government Counsel
Department of Justice

**Attendance by
invitation** : Item III

HK Human Rights Monitor

Mr LAW Yuk-kai

Miss TSUI Ho-yee

Mr LAU Chin-pang

Ms Gina DACIO

Hong Kong Unison

Miss TAM Yuen-yee

Society for Cultural Integration

Miss CHEUK Man-po

Mr Syed M AGHA

Miss Syyeda Muneeba AGHA

PathFinders Limited

Ms Harriet BEAVIS

DAB

Mr Dewan Saiful (Masud) ALAM

Centre for Comparative and Public Law, Faculty of Law,
The University of Hong Kong

Prof Puja PARYANI

Mr M. I. Sikkander BATCHA

The Hong Kong Federation of Trade Unions

黃思鴻小姐

Stop Trafficking of People (STOP)

Ms Jacqueline Carmen AU

Diocesan Pastoral Centre for Workers - Kowloon

Mr TSENG Ka-chun

We Superwomen Group

Ms Sairah ABBAS

Ms NASROTIN

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

Staff in attendance : Mr Kelvin LEE
Senior Assistant Legal Adviser 3

Miss Cindy HO
Senior Council Secretary (2) 3

Mrs Fonny TSANG
Legislative Assistant (2) 3

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I. Confirmation of minutes of meeting
[LC Paper No. CB(2)1818/17-18]

The minutes of the meeting held on 22 June 2018 were confirmed.

II. Information papers issued since the last meeting
[LC Paper Nos. CB(2)1814/17-18, CB(2)1822/17-18(01) to (03) and CB(2)1830/17-18(01) and (02)]

2. The Panel noted that the following papers had been issued to members after the last meeting:

- (a) Electoral Affairs Commission Report on the 2018 Legislative Council By-election [LC Paper No. CB(2)1814/17-18];
- (b) joint letter dated 28 June 2018 from 24 Members to the Chairman and Panel Clerk's reply letter on behalf of the Chairman

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[LC Paper Nos. CB(2)1822/17-18(01) and (02)];

- (c) Administration's letter dated 13 July 2018 [LC Paper No. CB(2)1822/17-18(03)]; and
- (d) letter dated 3 July 2018 from Ms Claudia MO to the Chairman and Panel Clerk's reply letter on behalf of the Chairman [LC Paper Nos. CB(2)1830/17-18(01) and (02)].

3. Referring to her letter in paragraph 2(d), Ms Claudia MO said that she basically accepted the approach of taking follow-up actions by the Equal Opportunities Commission ("EOC") through reaching out to the relevant sectors in the community to discuss how to better prevent and handle complaints of sexual harassment in churches as detailed in the Administration's letter. She further remarked that the sexual harassment provisions under the Sex Discrimination Ordinance (Cap. 480) were too broad and not sufficiently clear.

III. The third report of the Hong Kong Special Administrative Region under the International Convention on the Elimination of All Forms of Racial Discrimination

[LC Paper Nos. CB(2)1788/17-18(01) and (02)]

Meeting with deputations and the Administration

4. The Under Secretary for Constitutional and Mainland Affairs ("USCMA") said that the Hong Kong Special Administrative Region ("HKSAR")'s third report ("third report") had been submitted to the United Nations ("UN") Committee on the Elimination of Racial Discrimination as part of China's combined Fourteenth to Seventeenth Reports under the International Convention on the Elimination of All Forms of Racial Discrimination, and the related UN hearing was scheduled to be held on 10 and 13 August 2018 in Geneva. A delegation from the HKSAR Government would attend the UN hearing as part of the Chinese delegation.

5. The Panel received views from 17 deputations/individuals on the third report. A record of the 17 deputations/individuals and the submissions received are in the **Appendix**.

Administration's response to deputations' views

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6. In response to the views expressed by the deputations on issues under the purview of the Constitutional and Mainland Affairs Bureau ("CMAB"), USCMA made the following points:

- (a) the Administration would take forward eight recommendations of priority proposed by the EOC in its Discrimination Law Review ("DLR") by introducing legislative proposals by end-2018. Among them, six were related to the Race Discrimination Ordinance (Cap. 602) ("RDO"). The Administration would continue to study other recommendations of priority in the DLR submissions; and
- (b) relevant bureaux/departments ("B/Ds") would be requested to collect data for the continuous improvement of service provision to ethnic minorities ("EMs") having regard to their own actual operational circumstances. A cross-bureau steering committee chaired by the Chief Secretary for Administration was set up to coordinate, review and monitor the support services and enhance internal collaboration.

7. On issues which fell under the purview of the Security Bureau, the Principal Assistant Secretary for Security (Review) ("PAS(S)R") made the following points:

- (a) Hong Kong addressed trafficking in persons ("TIP") through various pieces of local legislation. In March 2018, a high-level inter-bureau/departmental Steering Committee, chaired by the Chief Secretary for Administration, to tackle TIP and to enhance protection of foreign domestic helpers ("FDHs") in Hong Kong was established. The Government had also promulgated an Action Plan which outlined various measures covering areas including victim identification, investigation, enforcement, prosecution, victim protection and support, prevention, and partnership with different stakeholders. Pursuant to the Action Plan, the Police had extended the victims identification mechanism to all police districts in July 2018, the Customs and Excise Department had also extended the mechanism to all the formations. The Labour Department ("LD") also had plans to implement the victims identification mechanism to its branch offices such that FDHs potentially being exploited or abused could be identified at an early stage; and

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- (b) in response to deputations' concern about the schooling of children of non-refoulement claimants, generally speaking, if non-refoulement claimants who were school-age children and wished to study in Hong Kong, they might submit an application to the Education Bureau ("EDB"). EDB would handle each case according to its individual circumstances, and would consult the Immigration Department ("ImmD") upon receiving a schooling application to ascertain whether the claimant would be removed from Hong Kong in the near future. The final decision on schooling applications would be made by EDB.

8. On issues which fell under the purview of EDB, the Principal Assistant Secretary for Education (Education Commission and Planning) ("PAS(ECP))" and Principal Education Officer (Curriculum Development)¹ ("PEO(CD))" made the following points:

- (a) the Government was committed to encouraging and supporting the early integration of non-Chinese speaking ("NCS") students (notably EM students) into the community, including facilitating their adaptation to the local education system and mastery of the Chinese language. EDB had, starting from the 2014-2015 school year, implemented the "Chinese Language Curriculum Second Language Learning Framework" ("Learning Framework") in primary and secondary schools. The "Learning Framework", which was drawn up in consultation with teachers and language experts, had set out clearly the expected learning outcomes of NCS students at different learning stages. This had been supplemented with learning and teaching materials, teacher training, school-based professional support as well as assessment tools to facilitate implementation of the "Learning Framework";
- (b) starting from the 2014-2015 school year, to facilitate schools' implementation of the "Learning Framework" and creation of an inclusive learning environment, EDB had substantially increased the additional funding to schools to currently over \$200 million per year. All schools admitting 10 or more NCS students were provided with the enhanced additional funding ranging from \$800,000 to \$1,500,000 per year depending on the number of NCS students admitted to adopt diversified intensive learning and teaching modes as appropriate with a view to facilitating their

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effective learning of Chinese and bridging over to mainstream Chinese Language classes as early as possible. EDB had, based on the research framework drawn up in light of the advice of research and language experts, been collecting and analyzing data to evaluate the effectiveness of the support measures for NCS students (including the implementation of the "Learning Framework") and would refine them as appropriate;

- (c) on promotion of cultural integration, efforts had been made by schools through arrangements of learning activities outside classroom to expose NCS students to more Chinese through interaction with their Chinese-speaking peers. EDB had collaborated with EOC to organize annual sharing sessions to enhance teachers' cultural sensitivity and their capability to teach NCS children;
- (d) allocation of school places in public sector schools was based on parental choices. The so-called "designated schools" system had been abolished since the 2013-2014 school year. The number of public sector and Direct Subsidy Scheme primary/secondary schools admitting NCS students had increased from about 590 in 2013-2014 to about 620 in 2017-2018 school year, accounting for two-thirds of the total number of schools in Hong Kong. There was also a significant increase in the number of schools admitting one to nine NCS students and applied for the funding to provide after-school support for NCS students;
- (e) alternative Chinese Language qualifications had been accepted by tertiary institutions for admission purpose; and
- (f) as far as kindergartens ("KG") were concerned, efforts had been made to step up training of KG teachers, and the updated KG Education Curriculum Guide was released in February 2017 to provide reference for KG teachers. Besides, the Standing Committee on Language Education and Research had invited post-secondary or tertiary institutions to develop and organize the Chinese and English Language Enhancement Programme for KG Teachers, and would fully subsidize KG teachers to undertake the programme by using the Language Fund. The Chinese language programme covered the topic about catering for learner diversity, including teaching Chinese to NCS students.

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9. The Assistant Commissioner for Labour (Policy Support) of LD advised that:

- (a) the HKSAR Government attached great importance to protecting the rights of FDHs in Hong Kong. Like local workers, FDHs enjoyed equal and full protection and entitlements under the Employment Ordinance (Cap. 57) ("EO"), including maternity protection, and pregnant FDHs would not be subjected to unreasonable and unlawful dismissal by the employers. LD organized many promotional and educational activities to ensure that FDHs and their employers were aware of their rights and obligations under EO and the Standard Employment Contract. These included publishing various guidebooks/leaflets (some of which were available in Tagalog, Indonesian and Thai in addition to Chinese/English) and distributing them for free (e.g. staging information kiosks at FDHs' popular gathering places). These publications were also available online. LD also collaborated with the relevant consulates to brief newly arrived FDHs on their labour rights. In addition, on-going talks and seminars would be organized regularly to enhance employers' understanding of their obligations and how to get along with FDHs; and
- (b) in response to deputations' concern about the "live-in requirement", the importation of FDHs to Hong Kong had been allowed in order to meet the acute and long-standing shortage of full-time live-in domestic helpers in the local labour market. The "live-in requirement" would need to continue. Indeed, in a recent judicial review case, the judgment of the Court of First Instance had ruled that the "live-in requirement" was lawful.

Discussion

Amendments to Race Discrimination Ordinance

10. Dr Fernando CHEUNG pointed out that back in 2009, the UN Committee on the Elimination of Racial Discrimination had recommended that all Government functions and powers should be brought within the scope of RDO and the same recommendation was made by EOC under DLR. Dr CHEUNG and Ms Alice MAK asked when the Administration would take forward necessary amendments to RDO to cover government powers and

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functions. Ms Claudia MO considered that the current measures were ineffective as the Administrative Guidelines on Promotion of Racial Equality ("the Guidelines") introduced in 2010 were not binding and B/Ds would not be held liable for non-compliance with the Guidelines.

11. USCMA advised that at the present stage, the Administration sought to focus on taking forward the eight recommendations of priority under DLR first, and it would follow up on the remaining recommendations at a later stage. Mr LAM Cheuk-ting and Mr CHAN Chi-chuen queried why the Administration did not consider it opportune to do so at the present stage.

12. USCMA explained that RDO bound the Government and therefore, prohibited discriminatory acts and practices of the Government and other public authorities in all the areas specified in RDO, such as employment, education, the provision of goods, facilities or services, and the disposal or management of premises. He further said that the Hong Kong Bill of Rights Ordinance (Cap. 383) prohibited the Government and public authorities from engaging in practices that would entail any form of discrimination, including discrimination on the ground of race. The Administration considered that the proposal should be carefully studied. Mr CHAN Chi-chuen urged the Administration to accord priority to this proposal in the next phase of amendments to RDO so as to respond to the long standing call of Members ever since the enactment of RDO in 2008.

Education for ethnic minority students

13. Ms Claudia MO stressed that there should be a "Chinese as a second language" curriculum for NCS students' learning of Chinese as the "Learning Framework", which had no standardized curriculum or teaching materials, fell short of a Chinese Language curriculum for second language learners. She further said that the Chinese proficiency of many NCS students remained at mainstream Primary Two level, and the number of NCS students participating in the Hong Kong Diploma of Secondary Education ("HKDSE") (Chinese Language) Examination and meeting the general entrance requirement in respect of the Chinese Language subject was unsatisfactory. She asked whether consideration would be given to developing a "Chinese as a second language" curriculum. Due to shortage of time, the Chairman requested the Administration to provide a written response.

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14. Dr Fernando CHEUNG said that the Administration had attributed the phenomenon of over concentration of NCS students in certain schools to the

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parental choice of schools. He pointed out, however, that these students had not been able to get admission to mainstream KGs in the first place because students had to attend schools interviews and were required to speak in Cantonese or Putonghua but not in English or other languages.

15. Mr Dennis KWOK stressed the need to ensure that all NCS children would have equal rights to access education and give full play to their abilities. Mr AU Nok-hin asked whether the Administration would formulate plans in upcoming years to facilitate more NCS children to get admission to mainstream schools, and whether the Administration would explore feasible measures to assist NCS students' learning of Chinese to prepare them to sit for HKDSE Examination as the Chinese-speaking students. PAS(ECP) informed that KGs under the new KG education scheme had already been required to provide information on their admission arrangements (including admission guidelines and application forms) in bilingual version. EDB would follow up with individual KGs for possible irregularities where necessary. EDB would make referrals if NCS parents had encountered problems in KG admission of their children. In response to Mr AU's question, PAS(ECP) advised that setting a ratio for admitting NCS students might limit the choice of schools of both Chinese-speaking and NCS students, hence causing unfairness.

16. Mr IP Kin-yuen said that many NCS children might lack Chinese-speaking environment at home and they would need schools to provide a Chinese learning environment to facilitate their learning of Chinese. He enquired whether support measures were available for KGs as well as EM parents regarding school admission arrangements, including, whether schools had adequately trained staff in teaching NCS students, whether there were social workers in schools etc.

17. Ms Alice MAK said that currently KGs admitting eight or more NCS students would get the same amount of subsidy irrespective of the actual number of NCS students admitted. She criticized that this policy was unfair and urged the Administration to review and adjust the mode of providing additional funding to KGs on a per capita basis such that KGs admitting more NCS students would be provided with more resources. She further said that schools admitting less than eight NCS students, on the other hand, did not have sufficient resources to provide support measures for NCS students (e.g. arranging translation of school information). PAS(ECP) informed members that EDB would continue to communicate with the sector in the light of implementation experience and fine-tune relevant support measures as appropriate.

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18. Mr HUI Chi-fung said that although the Administration presented the matter as one of parental choice, the choice was not a genuine one because of the absence of adequate and appropriate language support in the mainstream schools which might adversely affect their children's overall academic performance. In the circumstances, EM parents had no other choice but to place their children in schools traditionally admitting more NCS students. He urged the Administration to take measures in this regard. For example, schools should be required to make available school notices and school information (including school-based support measures for the Chinese learning and teaching of NCS students, the number of teachers who could teach Chinese as a second language, etc.) in bilingual version on their school websites.

19. PAS(ECP) advised that dedicated briefing sessions on admission to KGs, and allocation systems of Primary One and Secondary One school places, etc., had been organised for parents of NCS students. Besides, schools provided with additional funding to facilitate NCS students' learning of the Chinese language would specify that additional support was provided for their NCS students in the learning of the Chinese language in the School Profiles to be distributed in the 2018-2019 school year. Furthermore, according to the annual reports submitted by schools on the implementation of the "Learning Framework", it was noted that school information would be disseminated to the public through a variety of channels (including school websites, school notices or daily contacts) and majority of parents were aware of the support measures available in schools.

20. The Deputy Chairman said that there were strong calls in the community that a standard "Chinese as a second language" curriculum for NCS students should be introduced and teacher training should be provided. PEO(CD)1 advised that in view of the diversified linguistic and cultural backgrounds of NCS students and their different duration of learning Chinese, there were distinct differences in the starting points of learning Chinese and learning progress among NCS students. If standardized teaching materials with uniform learning targets by stages were provided for all NCS students in Hong Kong, it would not only fail to address the actual learning circumstances of NCS students, but also be unable to cater for their learning diversity. In view of this, EDB provided teachers with diversified learning and teaching materials as well as teaching reference materials which could be used and adapted as appropriate in the light of the learning situations of students and the actual context of schools. Developed from the perspective of second language learners and covering the listening, speaking, reading and writing domains,

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these learning and teaching materials were specially designed for NCS students in learning of the Chinese language. Meanwhile, EDB was collating relevant statistics to facilitate evaluation of the effectiveness of the "Learning Framework".

21. Mr LAM Cheuk-ting expressed concern about the medium of instruction of post-secondary programmes as a study showed that 71% of the post-secondary programmes were offered in languages not suitable for NCS students. In his view, it would affect NCS students' opportunities in pursuit of further study in tertiary institutions as well as career development. He enquired whether there were measures to assist NCS students regarding arrangements of medium of instruction in tertiary education and vocational training. PAS(ECP) advised that currently over 60% of the full-time programmes run by the relevant member institutions of the Vocational Training Council were taught in English, and no complaints or referral cases in this regard were received over the past three years. Mr LAM requested the Administration to look into the relevant arrangements to ensure that relevant courses were delivered properly in the target languages.

22. Mr Dennis KWOK sought assurance from the Administration about the schooling arrangement of children of non-refoulement claimants. PAS(S)R advised that EDB would handle schooling applications from children of non-refoulement claimants according to individual circumstances, upon consultation with ImmD that their removal from Hong Kong would be unlikely in the near future. He advised that ImmD had given replies to EDB on some 900 cases so far.

Equal Opportunities Commission

23. Mr Dennis KWOK expressed concern that the administration of EOC was chaotic and there was high turnover of senior management staff. While the Administration had earlier advised the Panel that EOC had set up a Review Panel to look into relevant issues, he hoped that the findings of the relevant reviews would be implemented once available to ensure effective corporate governance of EOC. USCMA advised that CMAB would liaise closely with EOC on the progress of the review.

Human trafficking

24. Mr Dennis KWOK said that as pointed out by the relevant UN Committee, TIP continued to pose serious human rights challenges to the world.

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He further said that Hong Kong had been placed on the Tier 2 Watch List in the Trafficking in Persons Report published by the State Department of the United States ("the US Report") and there were loopholes in existing law in Hong Kong, including the lack of a criminal offence and penalty that addressed the prohibited concept of forced or compulsory labour, nor could it effectively pursue syndicates or persons benefiting from the proceeds obtained from such activities. He said that he and Mr Kenneth LEUNG had submitted a draft private bill which sought to criminalize human trafficking in all forms, given that the current legislative measures relating to TIP were scattered among different legislation in Hong Kong and TIP activities were not confined to the territory of Hong Kong.

(At 4:27 pm, the Chairman directed that the meeting be extended by 5 minutes beyond the appointed ending time.)

25. Noting that Hong Kong had been placed on the Tier 2 Watch List in the 2018 US Report indicating that Hong Kong had not been able to attain the minimum standards for the elimination of TIP, the Chairman pointed out that the Macao Special Administrative Region had already enacted legislation to combat TIP-related crime whereas Japan had not enacted specific legislation on TIP and yet Japan's grading was still higher than Hong Kong. He asked how the Administration was going to respond when relevant issues were raised in the UN hearing.

26. PAS(S)E said that some contents of the US Report did not reflect the facts in Hong Kong and the Administration had issued a press release to reject Hong Kong's grading in the report. The Administration would pay attention to reports of other countries on Hong Kong and would provide a response if relevant reports did not reflect the facts in Hong Kong. He said that representatives of the HKSAR Government would attend the UN hearing and respond to questions raised. The Administration would advise the UN Committee of the new developments in this area, including measures and the Government's efforts in combating TIP. In response to the Chairman's further enquiry, USCMA advised that the Government would endeavour to provide to the UN Committee a written response on those issues to clarify its position. At the suggestion of the Chairman, the Administration was requested to provide a copy of the written response, if any, to the Panel in due course.

IV. Any other business

27. There being no other business, the meeting ended at 4:32 pm.

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Council Business Division 2
Legislative Council Secretariat
26 September 2018

Panel on Constitutional Affairs

Meeting on Monday, 16 July 2018, at 2:30 pm

Meeting to receive views on "The third report of the Hong Kong Special Administrative Region under the International Convention on the Elimination of All Forms of Racial Discrimination"

Summary of views and concerns expressed by deputations/individuals

No.	Name of deputation / individual	Submission / Major views and concerns
1.*	HK Human Rights Monitor	<ul style="list-style-type: none"> ● The Administration should take on board the recommendations of the United Nations Committee on the Elimination of Racial Discrimination in its Concluding Observations on the previous report of HKSAR under the International Convention on the Elimination of All Forms of Racial Discrimination ("the Convention") relating to the narrow scope of application of the Race Discrimination Ordinance ("RDO") to the Government, and rights of ethnic minorities ("EM") and foreign domestic helpers ("FDHs"). ● The Administration should implement effective measures to strengthen the teaching and learning of Chinese for non-Chinese speaking ("NCS") students. ● The Administration was urged to evaluate its policies and measures to promote racial equality and eliminate racial discrimination by formulating annual work plans for implementation.
2.*	Miss TSUI Ho-yee	<ul style="list-style-type: none"> ● Due to the lack of adequate and appropriate support in schools, NCS students faced discrimination and had difficulties in learning which affected their academic performance and personal development.
3.*	Mr LAU Chin-pang	<ul style="list-style-type: none"> ● The Administration should introduce targeted measures to address the problems faced by EMs of low-income families. ● In addition to engaging two employment assistants proficient in EM languages on a pilot basis to provide employment services to EM job seekers, the services should be extended to other districts so as to enhance employment support for EM job seekers. ● More should be done to enhance support for EMs to address their employment needs as well as to provide assistance to EMs in labour issues with a view to protecting employees' rights. EM staff should be hired in public housing estates to serve to enhance liaison with EM groups.
4.*	Ms Gina DACIO	<ul style="list-style-type: none"> ● Many FDHs suffered from unsatisfactory living condition, insufficient foods, insufficient sleep due to long working hours. The "live-in requirement" should be amended as FDHs had to work long hours to provide service to the family round-the-

No.	Name of deputation / individual	Submission / Major views and concerns
		<p>clock.</p> <ul style="list-style-type: none"> ● Employers should provide FDHs with decent bed space and ensure FDHs had enough time to sleep and take rest; provide sufficient food or food allowance, and respect the human rights of FDHs.
5.	Hong Kong Unison	<ul style="list-style-type: none"> ● LC Paper No. CB(2)1805/17-18(01)
6.*	Society for Cultural Integration	<ul style="list-style-type: none"> ● The third report submitted by HKSAR only included what the Government had done in respective policy areas, whereas public views and the effectiveness of Government measures had not been included in the report. ● The "Chinese Language Curriculum Second Language Learning Framework" ("Learning Framework") and the support measures had failed to provide sufficient support and to improve the quality of Chinese language education for NCS students. The "Learning Framework" fell short of a Chinese Language curriculum for second language learners as there was no standardized curriculum or teaching materials. The current measures were ineffective as the Chinese proficiency of many NCS students remained at mainstream Primary Two level and the number of NCS students participating in the Hong Kong Diploma of Secondary Education (Chinese Language) Examination in 2017 and meeting the general entrance requirement in respect of the Chinese Language subject was unsatisfactory. ● The Administration should address the phenomenon of de facto racial segregation in the public education system, as one-fourth of NCS students in Hong Kong kindergartens ("KGs") were studying in 14 KGs, and 40% of NCS students were studying in 11 primary schools and 7 secondary schools.
7.*	Mr Syed M AGHA	<ul style="list-style-type: none"> ● Speaking from his personal experience in the application of his younger child for KG admission, the application was rejected because a child must speak Cantonese to be admitted by then. ● His daughter who was attending a primary school was initially put in a so-called non-Chinese stream and the level of Chinese she learnt was different from that of the Chinese-speaking students. He had requested the school to put her daughter in the mainstream Chinese class so that she could better integrate into the society. He added that the Equal Opportunities Commission ("EOC") and EDB did not offer assistance in the matter. ● Expressed concern that his family members were discriminated and refused jobs because of their traditional dressing. EOC did not offer any assistance but suggested that his family members

No.	Name of deputation / individual	Submission / Major views and concerns
		should accept a sum offered to them for settlement of the case.
8.*	Miss Syyeda Muneeba AGHA	<ul style="list-style-type: none"> ● About one-third of the students in her school were NCS students. They were separated from the Chinese students during Putonghua lessons. She was put in a separate class for learning Chinese with other NCS students in her school. Her parents subsequently realized that the level of Chinese she learnt was different from that of the local Chinese-speaking students. The Administration was urged to put an end to the de facto racial segregation in schools.
9.*	PathFinders Limited	<p>The Government was urged to fulfill its obligations under the Convention by implementing the following measures to eliminate racial discrimination:</p> <ul style="list-style-type: none"> ● <u>On the statutory maternity leave of FDHs</u> <ol style="list-style-type: none"> (1) take special measures to clarify and explain how within the context of the "live-in requirement", as well as how statutory maternity leave of FDHs should be handled; ● <u>On education for NCS children</u> <ol style="list-style-type: none"> (2) introduce an effective Chinese as a second language curriculum to boost education and training opportunities and facilitate integration; (3) provide pre-school support and universal access to KGs; ● <u>On access to justice</u> <ol style="list-style-type: none"> (4) remove the exclusion of government powers and functions from RDO; (5) provide access to translation services at the pre-hearing stage; (6) ensure adequate representation of the trials in the non-refoulement claim processes and legal proceedings; ● <u>On access to healthcare services</u> <ol style="list-style-type: none"> (7) provide any special needs assessment to all children in Hong Kong regardless of their immigration status; (8) provide pre-natal blood tests and ultrasound scans as a basis minimum level of care for all pregnant immigrants in Hong Kong regardless of their immigration status; ● <u>On applications for naturalization as Chinese nationals by EMs</u> <ol style="list-style-type: none"> (9) confer HKSAR Passport to all children who were abandoned in Hong Kong and whose parents were absent or unable to act on their behalf; and (10) provide clearer and detailed criteria for applying for HKSAR Passport in relevant languages.
10.	DAB	<ul style="list-style-type: none"> ● LC Paper No. CB(2)1835/17-18(01)
11.	Centre for Comparative and Public Law, Faculty of Law, The University of Hong Kong	<ul style="list-style-type: none"> ● LC Paper No. CB(2)1835/17-18(02)

No.	Name of deputation / individual	Submission / Major views and concerns
12.*	Mr M. I. Sikkander BATCHA	<ul style="list-style-type: none"> ● Expressed concern that EM elderly had made contribution to the community but no support measures had been provided to address their needs and welfare (including accommodation needs, medical needs, etc.). ● There was no elderly home for EM elderly. Some EM elderly had got injuries and with no family member to take care of them. An elderly institution for EM people should be set up so that elderly EMs could spend their time and obtain medical care.
13.*	The Hong Kong Federation of Trade Unions	<ul style="list-style-type: none"> ● EMs, notably the South Asians, faced difficulties in education, language, employment, and use of public services. Support measures targeting Ems, in particular, learning support to NCS students, should be enhanced to overcome their language barrier and facilitate their integration in the community.
14.	Stop Trafficking of People (STOP)	<ul style="list-style-type: none"> ● LC Paper No. CB(2)1788/17-18(03)
15.*	Diocesan Pastoral Centre for Workers - Kowloon	<ul style="list-style-type: none"> ● Expressed concern that many EMs still faced difficulties and discrimination in many areas. The lack of public education on social inclusion meant that there was still a lack of mutual understanding between local Chinese and EM groups. ● The Administration should implement effective measures to strengthen employment support for EMs, for example, Chinese language proficiency should not be a requisite requirement for civil service recruitment so that more EMs could be recruited to the civil service.
16.*	We Superwomen Group	<ul style="list-style-type: none"> ● Expressed concern that it was very difficult for EMs to learn Chinese and it was even more difficult for EM housewives mostly staying at home and busy in taking care of their families. The Government should give proper training to frontline staff in dealing with EMs and should provide interpretation service to EMs. ● Citing a case in which an Indian family approached the Social Security Field Unit of the Social Welfare Department to apply for Comprehensive Social Security Assistance but the family was not provided with interpretation service, the Administration should follow up to ensure that the rights of EMs in getting interpretation service should not be compromised. ● Citing another case that the Housing Department did not provide any support for those EMs who could not communicate in Cantonese or English in their applications for public rental housing. EMs were not familiar with the

No.	Name of deputation / individual	Submission / Major views and concerns
		application procedures and had their applications rejected or delayed due to language barriers. It was suggested that there should be EM assistants in every government departments.
17.*	Ms NASROTIN	<ul style="list-style-type: none">● Expressed concern that pregnant FDHs usually faced problems of (a) being pressured to resign owing to employers' discrimination against pregnant FDHs; and/or (b) having little knowledge of their maternity rights.● As an employee in Hong Kong, FDHs were entitled to pregnancy rights and maternity leave. However, many FDHs did not have information about their rights, such as access to healthcare services in public hospitals and their entitlement to maternity leave. The Government should take educational measures to ensure that FDHs and employers were aware of their rights and obligations, including FDHs' entitlements to maternity leave and their rights to use subsidized public healthcare services.

* No submissions provided for this meeting