

**Fourteenth to Seventeenth Reports
of the People's Republic of China
under the International Convention
on the Elimination of All Forms
of Racial Discrimination –**

**Part Two:
Hong Kong
Special Administrative Region**

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List of abbreviations

Basic Law	Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China
BOR	Hong Kong Bill of Rights
C&ED	Customs and Excise Department
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
CFA	Court of Final Appeal
CGs	Consulates-General
Code	Code of Practice on Employment
CoP	Commission on Poverty
CPCE	Committee on the Promotion of Civic Education
CPRH	Committee on the Promotion of Racial Harmony
CSD	Correctional Services Department
CSSA	Comprehensive Social Security Assistance
EDB	Education Bureau
EM Unit	Ethnic Minorities Unit
EOC	Equal Opportunities Commission
FDHs	Foreign domestic helpers
HAD	Home Affairs Department
HD	Housing Department
HKBORO	Hong Kong Bill of Rights Ordinance
HKSAR	Hong Kong Special Administrative Region of the People's Republic of China
ImmD	Immigration Department
ILO	International Labour Organization

List of abbreviations

LD	Labour Department
LegCo	Legislative Council
MAW	Minimum Allowable Wage
NCS	Non-Chinese speaking
NGOs	Non-governmental organisations
PICs	Persons in Custody
Police	Hong Kong Police Force
PRH	Public rental housing
RDO	Race Discrimination Ordinance
SEC	Standard Employment Contract
SMW	Statutory Minimum Wage
SSA	Social Security Allowance
The Committee	The Committee on the Elimination of Racial Discrimination
The Convention	International Convention on the Elimination of All Forms of Racial Discrimination
The Guidelines	The Administrative Guidelines on Promotion of Racial Equality
The previous Concluding Observations	The Committee's Concluding Observations of September 2009
The previous report	The second report of the HKSAR
The Refugee Convention	The 1951 United Nations Convention relating to the Status of Refugees
The Report	The third report of the HKSAR
USM	Unified screening mechanism
“Learning Framework”	“Chinese Language Curriculum Second Language Learning Framework”

Preamble

The Report

This report (the Report) is the third report of the Hong Kong Special Administrative Region of the People's Republic of China (HKSAR) under the International Convention on the Elimination of All Forms of Racial Discrimination (the Convention), as part of the Fourteenth to Seventeenth Reports of the People's Republic of China under the Convention. It updates the Committee on the Elimination of Racial Discrimination (the Committee) on developments since the submission of the second report of the HKSAR (the previous report) in June 2008. It also responds to the Committee's Concluding Observations of September 2009 (the previous Concluding Observations) which were adopted after the Committee had considered the previous report in August 2009.

The HKSAR Government has undertaken to provide a detailed response to the concerns and recommendations of the Committee in respect of the HKSAR in the Report. In preparing the Report, the HKSAR Government has, in accordance with past practice, set out in an outline the broad subject headings and individual topics proposed to be covered in the Report. This outline for consultation was issued to stakeholders including the Legislative Council (LegCo) and interested non-governmental organisations (NGOs), and was made available on the HKSAR Government website and at the 20 Public Enquiry Service Centres of the Home Affairs Department (HAD). In addition to Chinese and English, the outline was translated into six ethnic minority languages (Indonesian, Hindi, Nepali, Tagalog, Thai and Urdu) and distributed to the ethnic minority groups via channels of the HAD. The public were invited to submit from 19 October to 27 November 2015 their views on the HKSAR Government's implementation of the Convention in respect of those topics. The public were also invited to suggest additional topics that should be included in the Report. The HKSAR Government has also consulted the relevant LegCo Panel during the period.

The views and comments received have been carefully considered in drafting the Report. The Report will be made available to stakeholders, including members of the LegCo and interested NGOs, and will be distributed to the public through the Public Enquiry Service Centres of the HAD. It will also be accessible to members of the public through public libraries and the HKSAR Government website.

Support for Ethnic Minorities

Many ethnic minorities have been residing in Hong Kong for generations, and have played important roles in shaping Hong Kong's history. In particular, as promulgated in the 2014 Policy Address by the Chief Executive of the HKSAR, the HKSAR Government has implemented a number of measures to strengthen education support and employment services for ethnic minorities and to help them integrate into the community. Highlights of these measures are set out as follows, and will be elaborated in the ensuing paragraphs –

Education (paragraph 5.66)

- (a) providing the “Chinese Language Curriculum Second Language Learning Framework” with supporting learning and teaching materials, and increasing funding support to schools to implement the new framework;
- (b) providing an Applied Learning (Chinese Language) subject to be pegged at the Qualifications Framework at senior secondary level;
- (c) encouraging parents of non-Chinese speaking (NCS) students to let their children start learning Chinese at the pre-primary stage through district-based projects/programmes;

Employment (paragraphs 5.18, 5.45 to 5.47)

- (d) implementing measures to ensure that ethnic minorities have equal access to job opportunities in the HKSAR Government, such as reviewing and adjusting the Chinese language proficiency requirements and recruitment formats;
- (e) modifying the recruitment test for Police Constables to require candidates to write English in addition to Chinese for situations simulating police operations, and awarding extra marks for possessing foreign/ethnic language skills;
- (f) continuing to canvass suitable vacancies for ethnic minorities and organising job fairs to help ethnic minorities secure employment;

Community outreach (paragraph 2.14)

- (g) setting up a new support service centre for ethnic minorities in Kwai Tsing district;
- (h) setting up youth units in all six ethnic minority support service centres and two sub-centres to provide dedicated programmes such as sports and cultural activities to help the personal development of ethnic minority youths;

Public Education (paragraphs 2.5 to 2.6, 7.1 to 7.12)

- (i) producing a TV documentary series and conducting a school outreach programme to help the public understand the cultures and customs of ethnic minorities; and
- (j) setting up an Ethnic Minorities Unit (EM Unit) under the Equal Opportunities Commission (EOC) to promote racial equality.

Article 1 - Definition of racial discrimination

1.1 Human rights are fully protected by laws of the HKSAR. It is also the HKSAR Government's firm policy that the HKSAR is opposed to all forms of discrimination, including racial discrimination. The legal safeguards are clearly enshrined in the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China (the Basic Law) and in local legislation, including the Hong Kong Bill of Rights Ordinance (Cap. 383) (HKBORO) and four anti-discrimination ordinances, i.e., the Sex Discrimination Ordinance (Cap. 480), the Disability Discrimination Ordinance (Cap. 487), the Family Status Discrimination Ordinance (Cap. 527), and the Race Discrimination Ordinance (Cap. 602) (RDO). These are buttressed by the rule of law and an independent judiciary. Details of the HKSAR Government's policy with specific reference to racial discrimination and the legal framework for protection against such discrimination are described in paragraphs 2.1 to 2.8 below, as well as in paragraphs 39 to 60 of the Common Core Document.

1.2 To better protect individuals from racial discrimination, the HKSAR Government introduced the RDO which was enacted in July 2008 and came into full operation in July 2009. The EOC, an independent statutory body, is the enforcement agency of the RDO and the other three anti-discrimination ordinances.

1.3. Under the RDO, "race" in relation to a person means the race, colour, descent or national or ethnic origin of the person, in line with the definition under Article 1(1) of the Convention. Nevertheless, in paragraph 27 of the previous Concluding Observations, the Committee expressed concern that the definition of racial discrimination in the RDO was "not completely consistent with Article 1 of the Convention" and recommended that "indirect discrimination with regard to language, immigration status and nationality be included among the prohibited grounds of discrimination" in the RDO.

1.4 On this front, the EOC is carrying out a review on the four existing anti-discrimination ordinances in the HKSAR, including the definition of race in the RDO. The EOC conducted a public consultation from July to October 2014 and undertook to give thorough and due consideration to all the views expressed during the public consultation, conduct thorough research drawing on the experiences of other jurisdictions, and balance the interests and concerns of all the stakeholders in the community before making its recommendations.

After receiving the EOC's recommendations, the HKSAR Government will consider whether and how to follow up.

1.5 Further details of the RDO will be elaborated in the context of implementation of Article 2. As the RDO has been covered at the hearing of the previous report, its detailed content has not been repeated in this Report. The general background information, including the demographic composition of the population in the HKSAR, is set out in the Common Core Document. Issues relating to special groups and ethnic minorities are addressed in paragraphs 2.20 to 2.34 below.

Article 2 - Policy of eliminating racial discrimination

Overall legal framework

2.1 The HKSAR Government is committed to eliminating racial discrimination and promoting equal opportunities for ethnic minorities. The Basic Law, the HKBORO and the RDO provide the legal framework to prohibit discrimination, including on the ground of race. As described in paragraphs 2 to 5 of the initial report, the Basic Law offers protection for fundamental rights and freedoms and safeguards equality before the law. It is complemented by the HKBORO, which has incorporated into local law the provisions of the International Covenant on Civil and Political Rights as applied to Hong Kong. The HKBORO binds the HKSAR Government and all public authorities and any person acting on behalf of the HKSAR Government or a public authority.

Policy of eliminating racial discrimination

2.2 The HKSAR Government is committed to the promotion of equal opportunities for all and firmly believe that all forms of discrimination – including racial discrimination – are wrong. At the same time, it is believed that each form of discrimination has its own characteristics, including the particular ways in which they may be manifested in Hong Kong. Therefore, the strategies for combatting discrimination must be tailored and appropriate to the particular form of discrimination that they are intended to address. In general, it is believed that, in the interest of social harmony, promotion of integration and public education on equality remain the quintessential vehicles for eliminating prejudice and discrimination. In addition, four anti-discrimination ordinances have been enacted to prohibit discrimination on the grounds of sex, disability, family status and race in specific areas in both the private and the public sectors.

Race Discrimination Ordinance

2.3 The RDO enacted in 2008 is closely modelled on the other three anti-discrimination ordinances, namely, the Sex Discrimination Ordinance, the Disability Discrimination Ordinance and the Family Status Discrimination Ordinance. As with these three ordinances, the RDO provides that it is unlawful to discriminate against a person on the ground of race in specified areas, including employment, education, the provision of goods, facilities or services, and the disposal or management of premises. The RDO also makes racial harassment (engaging in

unwelcome conduct that offends, humiliates or intimidates another person, or conduct that creates a hostile or intimidating environment for that other person) and vilification (by any activity in public, inciting hatred towards, serious contempt for, or severe ridicule of, another person) unlawful. The legislative history and public discussions on the RDO had been outlined in paragraphs 63 to 72 of the previous report.

2.4 Paragraph 28 of the previous Concluding Observations recommended the effective implementation of the law and that the EOC be strengthened. Under the RDO, the EOC is entrusted with the functions and powers to work towards the elimination of racial discrimination and to promote equality of opportunity and harmony between persons of different racial groups. It has the power to conduct formal investigations and obtain information in accordance with the RDO. The EOC is empowered to deal with individual complaints and provide legal assistance. In addition, the EOC can make recommendations to the HKSAR Government for amending the anti-discrimination ordinances, including the RDO.

2.5 In 2014-15, the HKSAR Government provided an additional recurrent funding of \$4.69 million to the EOC for setting up a dedicated EM Unit to enhance the EOC's work on promoting equal opportunities and racial integration by –

- (a) improving equal educational opportunities for ethnic minority students;
- (b) enhancing ethnic minorities' employment opportunities;
- (c) deepening social inclusion and understanding between ethnic minorities and other communities including Chinese; and
- (d) educating providers of goods, services and facilities on cultural sensitivity for serving ethnic minority customers.

2.6 Strategically, the EM Unit aims to address the needs of ethnic minorities through the three-pronged approaches of policy, training and outreach. On the policy level, the EM Unit liaises with relevant Government bureaux and departments, business associations, employers and other stakeholder groups to strive for the development or enhancement of policies and guidelines that facilitate the promotion of equal opportunities and inclusion of ethnic minorities. In terms of training, the EM Unit devises cultural sensitivity training for service

providers with regard to the difficulties experienced by ethnic minorities in accessing different services. On outreach, the EM Unit aims to establish regular communications and networks with ethnic minority leaders, community groups, tertiary institutions and other stakeholders. Further details on the work of the EM Unit are elaborated in paragraphs 7.11 to 7.12 below.

Application to public bodies and law enforcement agencies

2.7 The HKBORO in general prohibits the HKSAR Government and public authorities (including law enforcement agencies) from engaging in practices that would entail any form of discrimination, including discrimination on the ground of race. Avenues are available to address complaints against public authorities through The Ombudsman, the Complaints Against Police Office, complaint channels in Bureaux and Departments, LegCo, and the courts of law. It should, therefore, be emphasised that public bodies, including law enforcement agencies, have always been prohibited from practising racial discrimination under the HKSAR's legal framework.

2.8 Paragraph 28 of the previous Concluding Observations recommended that all Government functions and powers be brought within the scope of the RDO. The RDO binds the Government (section 3 of the RDO) and therefore, prohibits discriminatory acts and practices of law enforcement agencies and other public authorities in all the areas specified in the RDO, such as employment, education, the provision of goods, facilities or services, and the disposal or management of premises. In particular, section 27 of the RDO renders it unlawful for the HKSAR Government to discriminate against a person in the provision of the services of any department of the HKSAR Government or any undertaking by or of the HKSAR Government.

Administrative measures to promote racial harmony

2.9 In addition to compliance with the legal requirements, the HKSAR Government has also been taking special measures to promote racial equality with a view to ensuring that persons of different races have equal access to, and benefit from, resources and opportunities available in society.

2.10 In 2010, the HKSAR Government issued the Administrative Guidelines on Promotion of Racial Equality (the Guidelines) to provide general guidance to relevant Government bureaux and departments and

public authorities to promote racial equality and ensure equal access by ethnic minorities to public services in key areas concerned, and to take this into account in their formulation, implementation and review of relevant policies and measures. The Guidelines cover the key public services which are particularly relevant to meeting the needs of ethnic minorities and facilitating their integration into the community, namely, medical, education, vocational training, employment and major community services.

2.11 The scope of application of the Guidelines covered 14 Government bureaux and departments and public authorities in 2010, and has expanded to 23 in 2015¹. The Guidelines have been operating smoothly. The HKSAR Government will keep the scope and coverage of the Guidelines under review.

2.12 Relevant Government bureaux, departments and public authorities are responsible for implementing and monitoring the implementation of the Guidelines, and for ensuring racial equality and equal access to public services under their respective policy purview. Individual measures taken by the concerned bureaux and departments are outlined under Article 5.

Support services provided to ethnic minorities

2.13 The HKSAR Government firmly believes that legislation must go hand in hand with public education and support for better integration.

2.14 In 2002, the Race Relations Unit was set up within the Home Affairs Bureau, both to render secretarial support to the Committee on the Promotion of Racial Harmony (CPRH) and to provide a range of services to promote racial harmony and facilitate the integration of ethnic minorities in the community. Its work on integration programmes help minority communities – whether established or newly arrived – to adapt to the Hong Kong way of life, as follows –

¹ The 23 bureaux and departments and public authorities include the Education Bureau, Social Welfare Department, Labour Department, Home Affairs Department, Employees Retraining Board, Vocational Training Council, Food and Health Bureau, Department of Health, Hospital Authority, Construction Industry Council, Office of the Government Chief Information Officer, Innovation and Technology Commission, Office of the Communications Authority, Housing Department, Hong Kong Observatory, Post Office, Legal Aid Department, Hong Kong Police Force, Correctional Services Department, Customs and Excise Department, Immigration Department, Fire Services Department and Registration and Electoral Office.

- (a) ***Support Service Centres for Ethnic Minorities:*** the HAD has commissioned NGOs to run six support service centres and two sub-centres for ethnic minorities, including the latest one set up in the Kwai Tsing District in 2014, offering tailor-made classes, counselling, integration programmes and employment services to help them integrate into the community. Youth Units in these centres provide sports and music programmes and other dedicated activities for ethnic minority youths. One of the centres also provides telephone interpretation service and translation service to assist ethnic minorities in their use of public services;
- (b) ***Community Support Teams for Ethnic Communities:*** the HAD provides sponsorship for the establishment and operation of a Pakistani team and a Nepalese team. The two teams are operated by their respective ethnic minority community groups. Both teams offer a range of services (such as answering general enquiries, making referrals to Government departments and escorting ethnic minority users to public service providers) to members of their own communities in their own languages and in a culturally sensitive manner;
- (c) ***Hotline for enquiries:*** the HAD operates a hotline to answer enquiries from ethnic minorities on support services;
- (d) ***Your Guide to Services in Hong Kong:*** this is a service guidebook that is available in seven languages, namely English, Indonesian, Tagalog, Thai, Hindi, Nepali and Urdu. The guides provide comprehensive information on HKSAR Government and NGO services and are tailored to the needs of each client community;
- (e) ***Mobile Information Service:*** a team of “information ambassadors” recruited from the main ethnic minority communities is employed and stationed at the Hong Kong International Airport. The ambassadors distribute information kits to ethnic minority workers and immigrants on their arrival and handle enquiries in their own native languages;

- (f) ***Language courses:*** the HAD funds NGOs for the provision of training courses in Cantonese and English for members of ethnic minorities. The Unit co-ordinates the programme and promotional efforts to publicise the availability of such language classes to the various ethnic communities;
- (g) ***Cross-Cultural Learning Youth Programme:*** this is to help ethnic minority youths to adapt to school life in Hong Kong through such means as Cantonese lessons and after-school tutorial classes;
- (h) ***Radio programmes:*** the Race Relations Unit is responsible for launching and funding ethnic minority language programmes on local radio stations. Weekly programmes targeting ethnic communities are aired in Urdu, Nepali, Indonesian, Hindi and Thai; and
- (i) ***Harmony Scholarships Scheme:*** the scholarship aims to award and recognise students' participation in school and community services (particularly activities promoting racial harmony), their academic results and conduct.

2.15 The HKSAR Government also maintains continuing dialogue with ethnic minority groups through regular liaison, the CPRH and the Ethnic Minorities Forum, which will be elaborated under Article 7. The HKSAR Government shall continue to develop and enhance relevant services as necessary and appropriate.

Cultural sensitivity training provided to public officers

2.16 Cultural sensitivity training is provided to Government officials and public authorities in relation to the application of equal opportunities under the Basic Law, the HKBORO and the RDO.

2.17 The Civil Service Training and Development Institute of the Civil Service Bureau organises seminars for Government officers at different ranks. These include seminars, organised in collaboration with the EOC and/or NGOs, on the RDO and on enhancing staff sensitivity and understanding of race-related issues, including particularly their appreciation of cultural differences and their awareness of the special needs of members of the ethnic minorities. The HKSAR Government also provides learning resources to promote awareness in recognising and

valuing racial diversity and equal opportunities via the Cyber Learning Centre Plus website.

2.18 For example, cultural sensitivity training is provided to new recruits of the Correctional Services Department (CSD). Relevant concepts and knowledge include the Standard Minimum Rules for the Treatment of Prisoners, the HKBORO and the RDO. Relevant information is also provided to serving staff through in-service training. In addition, representatives from the Consulates in the HKSAR are invited from time to time to deliver talks to CSD staff in relation to the geographical and historical contexts, different ethnicities and cultures, living habits and taboos as well as religions and beliefs of the respective countries. The CSD also provides staff with training on ethnic minority languages including Nepali, Urdu, Vietnamese, Indonesian and Punjabi from time to time.

2.19 For the Immigration Department (ImmD), all new recruits are required to receive training relating to the RDO. Information on equal opportunities is also included in the training for in-service staff to enhance their awareness of cultural differences. Also, for the Hong Kong Police Force (Police), all officers are trained on the requirements of the RDO and related guidelines on racial equality during basic and in-service training at Police College. From time to time, seminars and experience-sharing sessions are provided for officers to enhance their understanding and awareness of the languages and cultures of ethnic minorities.

Special groups

2.20 This section focuses on two groups which are the subject of concern both locally and internationally. They are: foreign domestic helpers (FDHs) and illegal immigrants, including those seeking non-refoulement protection.

Foreign domestic helpers

2.21 As at end of August 2015, there were 340 378 FDHs in Hong Kong. Most of them were from the Philippines (53%, 180 363) and Indonesia (45%, 151 659) with the rest from Thailand, India, Sri Lanka, Myanmar, Bangladesh and Pakistan, etc.

2.22 As explained in paragraphs 76 to 80 of the previous report, FDHs continue to enjoy equal rights and benefits, as all local employees,

under the labour law of Hong Kong, including the Employment Ordinance (Cap. 57) and Employees' Compensation Ordinance (Cap. 282). Regardless of their race, FDHs and local employees alike are entitled to statutory rights and protection, including entitlements of one rest day per week, statutory holidays, paid annual leave, maternity protection, paternity leave, as well as the right to form and join trade unions etc.

2.23 FDHs, like local employees and other imported workers, have access to the free conciliation services provided by the Labour Department (LD). When there are any suspected cases of labour offences (such as non-payment or underpayment of wages, non-granting of rest day or statutory holidays) by employers of FDHs, the LD will accord the same priority and treatment to the employment claims filed by FDHs as local employees and will prosecute any law-defying employers of FDHs. The employment rights of FDHs will be elaborated in paragraphs 5.28 to 5.36 below.

Illegal immigrants, including those seeking non-refoulement protection

Refugee Convention not applicable

2.24 As indicated in paragraph 90 of the previous report, given Hong Kong's unique circumstances, the 1951 United Nations Convention relating to the Status of Refugees (the Refugee Convention) and its 1967 Protocol have never been applied to Hong Kong. There has been no change to the circumstances that justify a departure from the position of not applying the Refugee Convention to Hong Kong. As such, the HKSAR Government would maintain the policy of not granting asylum to, or determining the refugee status of, asylum seekers.

Non-refoulement claims

2.25 Foreigners who smuggled into the HKSAR and visitors who overstayed their limit of stay allowed by the ImmD or who were refused entry upon arrival (collectively "illegal immigrants" below) are liable to be removed from the HKSAR under the law. To safeguard immigration control and for public interest, illegal immigrants, regardless of their race, will be removed as soon as practicable.

2.26 Following the decision of the Court of First Instance in *FB v Director of Immigration* [2008] HKCFI 1069, an enhanced administrative screening mechanism was introduced in December 2009 to screen torture

claims under Article 3 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT). These enhanced procedures were later codified by the Immigration (Amendment) Ordinance 2012.

2.27 Subsequently, following the Court of Final Appeal (CFA)'s rulings in *Ubamaka Edward Wilson v Secretary for Security* (2012) 15 HKCFAR 743 and *C & Others v Director of Immigration* (2013) 16 HKCFAR 280, the HKSAR Government commenced operating a unified screening mechanism (USM) in March 2014 to screen claims by illegal immigrants resisting removal to another country on all applicable grounds ("non-refoulement claims"), including risk of torture as defined under the Immigration Ordinance (Cap. 115) and consistent with the definition in Article 1 of CAT, risk of torture or cruel, inhuman or degrading treatment or punishment under Article 3 of the Hong Kong Bill of Rights (BOR) as construed by the CFA in *Ubamaka*, and risk of persecution with reference to the non-refoulement principle under Article 33 of the Refugee Convention as decided by the CFA in *C & Others*.

2.28 Procedures of the USM follow the statutory mechanism for torture claims to ensure they meet the high standards of fairness required by law. The mechanism comprises three main steps: (a) claimant to set out the basis of claim by completing a claim form; (b) claimant to attend screening interview with immigration officer to answer questions relating to their claims; and (c) the immigration officer who interviewed the claimant to decide on the claim having regard to all relevant considerations, and to inform the claimant of the decision with reasons in writing.

2.29 Guidelines setting out details of the procedures of USM are published on the ImmD's departmental website. Translated copies of the guidelines in 15 different languages are available at the ImmD's office.

2.30 Claimants aggrieved by the ImmD's decision may appeal to the independent statutory Torture Claims Appeal Board. The Board will consider the facts and circumstances of each case to determine whether or not an oral hearing should be conducted as a matter of fairness. Claimants aggrieved by the ImmD's and the Board's decisions may seek judicial remedy through the Courts of the HKSAR.

2.31 Since 2009, publicly-funded legal assistance has been made available to all claimants through the Duty Lawyer Service, which maintains a roster of around 480 barristers and solicitors who have received relevant training on non-refoulement protection.

2.32 Qualified interpretation and translation services are provided to claimants during the screening process. The languages which most claimants require interpretation are Hindi, Urdu, Bengali, Nepali, Tagalog, Indonesian, Vietnamese, Sinhala, Tamil, and French.

2.33 When the USM commenced in March 2014, 6 699 non-refoulement claims were pending screening. Since then, the number of non-refoulement claimants increased sharply. By end of June 2015, the ImmD has determined 2 057 claims (12 claims were substantiated); and 1 534 claims were withdrawn. However, during the same period, the ImmD has received another 6 832 claims (monthly average of 427 claims, comparing to the monthly average of 102 claims from 2010 to 2013), bringing the total number of claims pending screening to 9 940. Of all the claimants, 70% did not seek to lodge a claim until they were intercepted or arrested by the Police or the ImmD. Overall, claimants had remained in the HKSAR for 13 months on average before lodging a claim.

2.34 The HKSAR Government's estimated expenditure arising from the screening of non-refoulement claims and provision of various support to claimants amounts to \$644 million in the 2015-16 financial year (an increase of 21% from the previous year), and is expected to further increase in view of the influx of claimants. The HKSAR Government will conduct a comprehensive review on the handling of non-refoulement claims to minimise room for possible abuses.

Article 3 - No racial segregation or apartheid

3.1 The position remains as explained in paragraph 61 of the initial report. That is, neither apartheid nor any form of racial segregation is practised in the HKSAR, nor would it be tolerated by the people or the HKSAR Government.

Patterns of settlement

3.2 In paragraphs 106 to 107 of the previous report, it was noted that some ethnic groups were found to be residing in some localities in greater numbers than in others. For example, based on statistics in 2011, the White community settled in a slightly greater number in the Central and Western district, and the Indian and Nepalese communities in the Yau Tsim Mong district. Nevertheless, it has not been observed that a particular district is predominantly inhabited by any ethnic minority group, and there are no marked signs of a trend towards “ghettoization”. Ethnic communities continue to co-exist with the local Chinese majority in a generally peaceful and harmonious manner in different districts of the HKSAR.

Article 4 - No propaganda or organisations which are based on racial superiority

4.1 The position essentially remains as reported in paragraphs 65 to 70 of the initial report. That is, the HKSAR and its people do not tolerate views of extremist or racist organisations. While the HKSAR Government firmly upholds freedom of opinion and expression, the laws of the HKSAR also contain adequate safeguards and provisions to effectively punish or suppress any racist acts of violence.

4.2 The RDO further reinforces existing legislation and renders it unlawful for a person, by any activity in public, to incite hatred towards, serious contempt for, or severe ridicule of, another person or members of a class of persons on the ground of race. It also prohibits serious vilification which involves the threatening of physical harm or inciting others to threaten physical harm towards another person, or the property or premises of that other person. Serious racial vilification is a criminal offence under section 46 of the RDO, and carries a maximum penalty of a fine of \$100,000 and imprisonment for two years.

4.3 Moreover, section 17B(2) of the Public Order Ordinance (Cap. 245) makes it an offence for any person who in any public place behaves in a noisy or disorderly manner, or uses, or distributes or displays any writing containing threatening, abusive or insulting words, with intent to provoke a breach of the peace, or whereby a breach of the peace is likely to be caused. In some situations, such behaviour may also constitute the common law offence of outraging public decency or the offences of obstruction of public places and public nuisance under sections 4(28) and 4A of the Summary Offences Ordinance (Cap. 228).

Article 5 - Guarantees of rights of everyone without distinction as to race, colour, or national or ethnic origin

Article 5(a) - equal treatment before tribunals and organs administering justice

5.1 In Hong Kong, all persons regardless of their race, colour, descent or national or ethnic origin are equal before the law and have equal access to the courts. This is guaranteed by Articles 25 and 35 of the Basic Law and Articles 1, 10 and 22 of the BOR. Furthermore, court interpreters are deployed to courts at all levels, where they interpret for parties who speak different languages.

Court procedures

5.2 The District Court is responsible for adjudicating claims under the four anti-discrimination ordinances, including those relating to race discrimination under the RDO. To help expedite the adjudication of such claims, the Judiciary has recently completed a review and introduced the necessary legislative amendments in November 2014 to streamline the related court procedures.

5.3 The simplified procedures provide more flexibility for parties to these claims; the new procedures are less technical and parties should find them easier to follow. The changes, supported by the relevant stakeholders, should help save time and costs of the parties concerned.

The availability of legal aid

5.4 The HKSAR Government's policy objective is to ensure that no person with reasonable grounds for pursuing or defending a legal action is denied access to justice because of a lack of means. The Legal Aid Department provides legal representation to eligible persons in civil or criminal proceedings in Hong Kong. Any person who is involved in court proceedings in the District Court, all levels of courts above District Court or committal proceedings in the Magistrates' Courts may apply for legal aid. Legal aid will be granted regardless of race, colour, descent or national or ethnic origin so long as the applicant is able to satisfy the statutory criteria as to the financial eligibility and the merits for taking or defending the legal proceedings.

Persons in custody

5.5 The position remains as explained in paragraph 79 of the initial report. Persons in police custody are entitled to be notified of their rights, irrespective of their race, colour, descent or national or ethnic origin. Such rights include, inter alia, the following: the right to be supplied with adequate food, refreshment and drinking water; the right to communicate with friends and relatives; the right to request a friend or relative be notified of their detention; the right to receive medical attention; the right to request a list of solicitors and the right to have a solicitor or barrister present during any interview with the Police, etc. If necessary, interpretation service would be arranged and the statement would be recorded in the language used by the interviewee. These rights are listed on a notice to be served to persons in police custody. Persons in police custody are asked to sign the notice to acknowledge that they have been notified of these rights.

5.6 The CSD provides interpretation services in relation to the handling of legal matters for Persons in Custody (PICs) of ethnic minority origins when necessary.

Decisions made under the Immigration Ordinance

5.7 The position remains the same as reported in paragraphs 75 to 78 of the initial report.

5.8 To guard against abuse of powers, the ImmD has in place established guidelines and procedures for its frontline staff to handle applications. It also provides training to new recruits and in-service immigration staff to foster the culture of courtesy and impartiality in enforcing or complying with the law. All staff are trained to treat all members of the public with respect and professionalism irrespective of their race, gender, nationality, age, marital status, pregnancy, family status, religion or disability. General human rights training provided by the ImmD also covers topics of the Basic Law, HKBORO and other applicable laws. In addition, there are established review mechanisms and provisions available to members of the public who are aggrieved by actions or decisions of the ImmD. In exercising immigration control, immigration staff will ensure effective communication with the ethnic minorities. When passengers are refused permission to land in Hong Kong, the notices served on them are available in different languages, so as to ensure that ethnic minority passengers refused permission to land are able to understand the immigration policies relating to them.

Article 5(b) - security of person

5.9 Staff of the Police and the CSD act in accordance with the laws of Hong Kong, all binding international treaties as applied to Hong Kong and other applicable standards.

5.10 The CSD is committed to promoting racial equality. All PICs receive the same treatment irrespective of their nationality or ethnicity. Measures taken by the CSD to support ethnic minority PICs are set out below:

- (a) a booklet entitled “Information for Person in Custody”, available in 27 languages, is given to PICs upon admission to help them understand their rights and the general conditions and requirements in correctional institutions;
- (b) a booklet entitled “Multilingual Phrasebook for Emergencies” is available at all hospitals within correctional institutions for use by PICs when needed;
- (c) books in languages other than Chinese or English are available in the libraries of correctional institutions for PICs;
- (d) Cantonese learning classes as well as Cantonese self-learning kits are offered to ethnic minority PICs;
- (e) the religious freedom of PICs of different ethnicities is respected. Various services including visits, education, counselling and religious worship are provided by chaplains and different religious organisations. The CSD will consult respective Consulates on the religious practices of ethnic minority PICs when necessary; and
- (f) various hobby classes are provided in collaboration with NGOs to facilitate the rehabilitation of ethnic minority PICs.

5.11 As for the Police, to ensure the police officers’ adequate awareness of human rights and the equality principle, as well as sufficient understanding of the anti-torture and anti-discrimination legislation in Hong Kong, coverage over a wide range of topics on human rights, including relevant legislation, are put in place for both new recruits and in-service officers to raise their professional sensitivity in handling persons in police custody.

5.12 Persons detained under police custody, irrespective of their race, colour, descent or national or ethnic origin, receive the same treatment. To ensure the safety of detained persons and others who may come into contact with them, and at the same time provide appropriate safeguards to the rights of detained persons, a Duty Officer is designated to be responsible for the day-to-day management of the Police detention facilities. Inspections are regularly conducted by different ranks of supervisory officers. Other special measures are in place to cater for the religious needs of those under police custody, such as the provision of religious texts and directional sign for praying. Meals and drinks are offered to detained persons. Suitable meals to cater for persons of different ethnic, religious or dietary needs are available.

Article 5(c) - political rights

Elections of the Chief Executive and to the Legislative Council and District Councils

5.13 The systems for electing the Chief Executive, LegCo Members and District Council Members are explained in paragraphs 12 to 24 of the Common Core Document.

5.14 The laws governing eligibility to stand in the Chief Executive, LegCo and District Council elections make no reference to race, colour, descent or national or ethnic origin.

Employment in the civil service

5.15 As an equal opportunities employer, the HKSAR Government is committed to eliminating all forms of discrimination in employment. Appointments to the civil service are based on the principle of open and fair competition. All candidates in an open recruitment exercise are assessed on the basis of their ability, performance and character having regard to the stipulated entry requirements which are set according to the job requirements of individual civil service grades. Race is not a relevant consideration in the recruitment selection process.

5.16 While some 95% of the HKSAR's population are Chinese, the HKSAR is a cosmopolitan city and a centre of trade, commerce and finance. It is the HKSAR Government's policy to maintain a fully biliterate (Chinese and English) civil service to support the HKSAR's continued development and to ensure effective communication with the general public at the same time. Given the foregoing, it is necessary to specify appropriate English and Chinese language proficiency requirements as part of the entry requirements for different civil service grades. In setting such language proficiency requirements, the job nature and operational requirements of the civil service grades concerned are the prime considerations. The overriding principle is that the language proficiency requirements specified must be relevant to and commensurate with the satisfactory performance of duties.

5.17 Article 99 of the Basic Law provides that, except as provided for in Article 101, public servants must be permanent residents of the HKSAR. No distinction is made on the grounds of race: there are permanent residents who are not ethnic Chinese and non-permanent

residents who are ethnic Chinese. Article 101 provides, among others things, that the HKSAR Government may employ foreign nationals as advisers to Government departments and, when required, may recruit qualified candidates from outside the HKSAR to fill professional and technical posts in Government departments. Accordingly, the possession of permanent resident status is a requirement for appointment as civil servants. Where justified (for example, recruitment difficulty, special skills or experience requirement, etc.), exceptions may be made in accordance with the relevant provisions of the Basic Law.

5.18 Some commentators have expressed concern on limited Government job opportunities for ethnic minorities, mainly because of the Chinese language proficiency requirement. In view of this, the Chinese language proficiency requirements and recruitment formats of relevant Government jobs have been reviewed and adjusted while ensuring satisfactory performance of duties. For example, the recruitment test for Police Constables has been modified to require candidates to write English in addition to Chinese for situations simulating police operations. Extra marks will be awarded to candidates who possess foreign/ethnic language skills. In addition, members of ethnic minorities have been engaged as Police Community Liaison Assistants to enhance liaison with ethnic communities. The recruitment format for the CSD's Assistant Officer II has been modified by replacing the Chinese written test with a group interview. Other disciplined services, such as the Government Flying Service and Fire Services Department, are also taking measures to adjust the Chinese language proficiency requirements or recruitment formats.

Article 5(d) - civil rights

(i) Freedom of movement

5.19 The position is as explained in paragraph 91 of the initial report. That is, freedom of movement is enshrined in Article 31 of the Basic Law.

(ii) Freedom to leave the territory

5.20 The position is as explained in paragraph 101 of the initial report. That is, Article 31 of the Basic Law provides that Hong Kong residents shall have freedom to travel and to enter or leave the HKSAR.

(iii) Right to residency/right of abode

5.21 As explained in paragraph 102 of the initial report, Article 24 of the Basic Law prescribes the categories of persons who are permanent residents of the HKSAR and therefore qualified to obtain, in accordance with the laws of the HKSAR, permanent identity cards that state their right of abode. The interpretation of Articles 22(4) and 24(2)(3) of the Basic Law as adopted by the Standing Committee of the Ninth National People's Congress at its Tenth Session on 26 June 1999 and the judgments of the CFA in the related litigation have established a firm legal basis for the HKSAR Government to deal with cases concerning the right of abode.

(iv) Right to marriage

5.22 The position remains the same as reported in paragraph 111 of the initial report. That is, Article 19 of the BOR provides, *inter alia*, that the right of men and women of marriageable age to marry and to found a family shall be recognised. No marriage shall be entered into without the free and full consent of the intending spouses. Freedom of marriage is further protected under Article 37 of the Basic Law. The right is without distinction as to race, colour, descent or national or ethnic origin. Marriage between persons of different ethnic origin is common and well accepted in the HKSAR.

(v) and (vi) Right to own property and inherit

5.23 The position remains the same as reported in paragraph 115 of the initial report. That is, Article 105 of the Basic Law provides that

the HKSAR shall, in accordance with law, protect the right of individuals and legal persons to the acquisition, use, disposal and inheritance of property and their right to compensation for lawful deprivation of their property. The rights in Article 5(d)(v) and (vi) of the Convention are also secured by both statute and common law. These rights – and the laws that enforce them – are applied without distinction as to race, colour, descent or national or ethnic origin.

(vii) Freedom of thought, conscience and religion

5.24 The position remains the same as reported in paragraph 116 of the initial report. That is, Article 32 of the Basic Law provides that Hong Kong residents shall have freedom of conscience. Hong Kong residents shall have freedom of religious belief and freedom to preach and to conduct and participate in religious activities in public. Freedom of thought, conscience and religion is also guaranteed by Article 15 of the BOR. Pursuant to Article 1 of the BOR, these freedoms shall be enjoyed without distinction of any kind, such as race, colour, descent or national or ethnic origin.

(viii) Freedom of expression

5.25 The position remains the same as reported in paragraphs 119 to 120 of the initial report. That is, freedom of expression is enshrined in Article 27 of the Basic Law, which states that Hong Kong residents shall have freedom of speech, of the press and of publication. Freedom of expression is also safeguarded by Article 16 of the BOR. Pursuant to Article 1 of the BOR, these freedoms shall be enjoyed without distinction of any kind, such as race, colour, descent or national or ethnic origin.

(ix) Freedom of peaceful assembly and association

5.26 The position remains as explained in paragraph 121 of the initial report. The freedom or right to peaceful assembly and to peaceful public procession are fundamental rights guaranteed in the Basic Law and the BOR. The HKSAR Government remains firmly committed to the protection of these fundamental rights and freedoms of Hong Kong people, without distinction as to race, colour, descent or national or ethnic origin.

5.27 To assist frontline officers in exercising their discretion to regulate public meetings and processions, the Police have widely promulgated the “Guidelines on the approach to the Public Order

Ordinance in relation to public meetings and public processions” among frontline Police officers. These Guidelines aim to further explain the meaning of important terms and provide additional guidance on the terms used on the limits to Police discretion. They have also been made available on the Police’s website and Divisional Police Report Rooms for public inspection.

Article 5(e) - economic, social and cultural rights

(i) Employment rights

Foreign domestic helpers

5.28 The Committee raised concerns on certain aspects of the working conditions and work requirements applicable to FDHs in paragraph 30 of its Concluding Observations. Under the Employment Ordinance, FDHs shall enjoy the same entitlements of rest day and statutory holidays like local workers. Non-granting of rest day and statutory holidays by employers are offences, liable to a maximum penalty of \$50,000 upon conviction. FDHs who are abused by their employers should report their cases promptly to the authorities so that appropriate follow-up actions could be taken.

5.29 In addition to the rights and protection as provided under the Employment Ordinance and Employees' Compensation Ordinance, further legal protection is afforded to FDHs through the Government-prescribed Standard Employment Contract (SEC), under which FDHs enjoy wage protection through the Minimum Allowable Wage (MAW), currently at \$4,210 and benefits including free accommodation, free food, free medical treatment and passages to/from their home countries etc. by their employers. The MAW is reviewed regularly, during which the HKSAR Government will take into account the overall economic performance as reflected in the basket of economic indicators. Arising from such regular reviews, the MAW has been increased by nearly 18% from the 2008-level (which was \$3,580) to the present level.

5.30 Under the Employment Ordinance, an employer who underpays wages commits an offence and is liable to a maximum fine of \$350,000 and three years' imprisonment upon conviction. In addition, any person convicted of making false representation to an Immigration Officer is liable to a maximum fine of \$150,000 and imprisonment for 14 years under the Immigration Ordinance. As for other requirements such as the FDH must work and reside in the employers' residence and perform only the domestic duties as provided in the Schedule of Accommodation and Domestic Duties etc., employers and FDHs are respectively required to give an undertaking to the ImmD when making the visa application. If an employer has breached his/her undertaking, the ImmD will take his/her conduct into consideration, and his/her future application to employ FDHs may be refused.

5.31 Since May 2011, the HKSAR has been implementing Statutory Minimum Wage (SMW) to forestall excessively low wages but without unduly jeopardising the labour market flexibility, economic growth and competitiveness or causing significant loss in low-paid jobs. Like other labour legislation in the HKSAR, the Minimum Wage Ordinance (Cap. 608) does not make a distinction on the ground of employees' race, colour, descent or national or ethnic origin.

5.32 All live-in domestic workers, irrespective of their gender and race, and whether they are local or migrant workers, are exempted from the Minimum Wage Ordinance. In arriving at the exemption which has been the consensus when legislating for SMW, the HKSAR Government has considered all relevant circumstances and views of stakeholders. One of the major considerations for the exemption is the distinctive working pattern of live-in domestic workers, i.e., residing in the employer's home, working and living in the same place, which renders calculating and recording of working hours difficult, when SMW is set on an hourly basis. The exemption of live-in domestic workers also reflects the provision of in-kind benefits arising from their living in the household of their employers free of charge. Such in-kind benefits include provision of free accommodation and usually free food by the employers, as well as savings in transport cost.

Two-week rule

5.33 In paragraph 30 of the previous Concluding Observations, the Committee expressed concern regarding the "two-week rule" whereby FDHs have to leave Hong Kong within two weeks upon termination of contract, as well as the live-in requirement. As explained in paragraphs 27 to 33 of the initial report, the "two-week rule" on FDHs is implemented to prevent abuse and to deter FDHs from overstaying and taking up unauthorised work. The same rule applies equally to other migrant workers, such as workers imported under the Supplementary Labour Scheme, irrespective of their countries of origin. The rule does not preclude the FDHs from working in Hong Kong again after returning to their places of origin and does not lead to additional expenses on the part of the FDHs as the passages are paid by their employers. Under exceptional circumstances, such as where the employment contract is terminated due to external transfer, emigration, death or financial situation of the employer, or where there is evidence that the FDH had been abused or exploited, the ImmD may allow the FDHs concerned to change employer without requiring them to return to their home countries

before commencing new contracts in Hong Kong. Moreover, an FDH may, if necessary, apply for extension of stay from the ImmD to facilitate him/her in pursuing claims in court. If the employers are found to have breached the terms of the SEC or have exploited the FDH which in turn resulted in the early termination of the employment contract, their future application for FDH will not be approved.

Live-in requirement

5.34 All FDHs are required to work and reside in their employers' residences as stated in the SEC.

5.35 The importation of FDHs to Hong Kong has been practised since 1970s in order to meet the acute and long-standing shortage of full-time live-in domestic helpers in the local labour market. There is a continuing and increasing need for full-time live-in domestic helpers, particularly so as the Hong Kong population ages and there are increasing numbers of elderly persons engaging FDHs. Any change to the "live-in requirement" that FDHs must reside in employers' residences will go against the rationale for importing FDHs and the fundamental policy that local employees (including local domestic helpers) should enjoy priority in employment. The aforementioned overriding policy considerations aside, the HKSAR Government also needs to take into account the employers' affordability in providing separate accommodation to their FDHs, the additional medical costs, insurance and other risks by allowing FDHs to live out as well as issues such as the additional pressure on private housing and public transportation, etc. The HKSAR Government considers it necessary to retain the "live-in requirement". It is emphasised that the "live-in requirement" is a work requirement and it equally applies to those local domestic helpers who work for families/persons requiring full-time domestic live-in helpers.

Employees Retraining Levy

5.36 The Employees Retraining Levy was imposed on 1 October 2003 by the HKSAR Government on employers of FDHs as a contribution of those employers to the cost of training or retraining of local employees. To ease the financial burden on FDH families, the HKSAR Government suspended the collection of the Levy from FDH employers from 1 August 2008 to 31 July 2013, following which the Levy on FDH employers was abolished.

Imported workers

5.37 As at 31 May 2015, there were 3 376 persons working in Hong Kong under the Supplementary Labour Scheme, the details of which were explained in paragraph 131 of the initial report. Their employment contracts last for at most two years. They are informed of their legal and contractual rights and benefits through pamphlets, briefings and a telephone enquiry service with pre-recorded messages in English, Cantonese and Putonghua². Their employers are required to pay the imported workers wages at a rate comparable to local workers in similar positions, to provide them with free medical treatment, subsidised accommodation of a prescribed standard and return passage.

Legal protections

5.38 The position remains broadly the same as explained in paragraph 133 of the initial report. In the event of disputes relating to employment rights and benefits, the LD provides free conciliation services, irrespective of the race of the employees (and employers). The LD will continue to ensure that nobody would be denied access to its services due to language difficulties. In this connection, the LD has commissioned different modes of interpretation services for provision of interpretation services during conciliation meetings, criminal investigation and prosecution purposes when necessary to facilitate those who could not communicate in Chinese and English. Past experience shows that imported workers and FDHs who could not communicate in Chinese and English were often accompanied by friends or relatives speaking either language when making enquiries, filing claims or attending conciliation meetings. This however does not detract from the LD's commitment to ensure that the parties concerned will not be denied conciliation services owing to their race or language difficulties.

5.39 In 2010, the Employment Ordinance was amended to introduce a new criminal offence, whereby an employer who wilfully and without reasonable excuse fails to pay a sum comprising wages and statutory entitlements under the Employment Ordinance as awarded by the Labour Tribunal or Minor Employment Claims Adjudication Board within 14 days after it becomes due is liable to prosecution. The maximum penalty is a fine of \$350,000 and imprisonment for three years. This measure, applicable to both local and imported workers (including

² Out of the some 3 000 imported workers in Hong Kong, over 95% came from Mainland China.

FDHs), serves to enhance the deterrent effect and strengthen the protection of employees' rights and benefits.

Statutory Paternity Leave

5.40 The Employment Ordinance was amended in 2014 to provide for statutory paternity leave with effect from 27 February 2015. Male employees are entitled to three days' paternity leave to be taken consecutively or separately for each confinement of their spouse/partner if they fulfil other requirements as stipulated in the law. They may take paternity leave at any time during the period from four weeks before the expected date of delivery of the child to 10 weeks beginning on the actual date of delivery of the child. Employees who are qualified for paternity leave pay may receive a daily rate of four-fifths of their average wages as paternity leave pay. This statutory benefit is applicable to both local and imported workers, including FDHs, irrespective of their race.

Promotion and publicity of employment rights and benefits

5.41 In addition to the initiatives stated in paragraphs 153 and 154 of the previous report, other publicity and promotional measures taken to remind FDHs of their legal and contractual rights include placing advertisements in local Filipino and Indonesian newspapers, staging roving exhibitions territory-wide, and through the assistance of respective consulates organising briefing sessions for newly-arrived FDHs.

5.42 Since 2014, the LD has been intensifying the publicity and promotional efforts. In addition to the on-going efforts which focus on the employment rights and benefits of FDHs, the LD has included in the publicity materials messages on how FDHs should deal with situations involving intrusion of their personal safety and confiscation of their identity documents by third parties, as well as the channels for them to seek redress from the HKSAR Government. Advertisements containing these messages are regularly placed at local Filipino and Indonesian newspapers. A handy card in the mother languages of FDHs on their employment rights and complaint channels is produced and widely distributed to FDHs to enhance their awareness in this regard.

5.43 The LD has also stepped up collaboration with FDHs' home countries in promoting and safeguarding the employment rights and benefits of FDHs in Hong Kong. Since 2014, an inter-departmental regular liaison mechanism with both the Indonesian and Philippines Consulates-General (CGs) has been set up respectively to discuss matters

requiring mutual attention concerning FDHs, exchange information as well as co-ordinate promotional efforts. The LD has also been joining the briefings organised by the Indonesian CG and the Philippines CG for newly-arrived FDHs starting from June 2014 and the major social/cultural events organised by CGs for their nationals in Hong Kong to provide FDHs with information on their employment rights and channels for seeking redress while working in Hong Kong. This has continued to receive positive feedback from FDHs.

Employment services provided to ethnic minorities

5.44 The LD provides a wide range of comprehensive and free employment services to all job seekers, regardless of their race, colour, descent or national or ethnic origin. All job centres of the LD offer employment services in both Chinese and English. Interpretation services will be arranged for job seekers who do not speak Chinese or English.

5.45 In addition to the LD's employment services and facilities available for job seekers in general, special counters are set up in all the job centres to provide ethnic minority job seekers with job referral services. Resource corners are also set up in the job centres and tailor-made employment briefings are organised regularly to provide employment information to help them better understand the latest situation of local labour market and improve job search skills.

5.46 Ethnic minority job seekers may also meet the employment advisors in job centres to obtain job search advice and information on training/retraining courses, and/or to receive career aptitude assessment as appropriate. Those who have difficulties finding jobs are encouraged to participate in various employment programmes to enhance their employability. The LD will continue to canvass suitable vacancies and organise large-scale and district-based inclusive job fairs to help the ethnic minorities find work. In other words, ethnic minority job seekers are able to benefit from the same employment services available to local job seekers, while there are also dedicated job fairs organised by the LD for ethnic minorities.

5.47 Furthermore, to strengthen the employment services for ethnic minorities, the LD launched a pilot "Employment Services Ambassador Programme for Ethnic Minorities" in 2014. The trainees of

the Youth Employment and Training Programme³ who can communicate in ethnic minority languages are employed as employment services ambassadors to serve job seekers in the LD's job centres and job fairs on the one hand while undergoing on-the-job training themselves on the other to enhance their employability.

5.48 In addition, with a view to assisting the ethnic minorities understand their statutory employment rights and protection, the LD produces publications in the languages commonly used by the ethnic minorities⁴ for distribution free of charge through different locations to promote major provisions of the Employment Ordinance. The electronic versions of these publications have been uploaded to the LD's Homepage to facilitate public viewing.

(ii) Right to form and join trade unions

5.49 The position remains the same as reported in paragraph 162 of the previous report. That is, the right to form and join trade unions is guaranteed by Article 27 of the Basic Law and Article 18 of the BOR. Some registered trade unions specifically represent the rights of overseas workers, such as Filipino Migrant Workers' Union, Indonesian Migrant Workers Union and the Progressive Labor Union of Domestic Workers – Hong Kong.

(iii) Right to housing

5.50 The objective of the HKSAR Government's housing policy is to provide public rental housing (PRH) to low-income families who are unable to afford private rental flats. Eligibility for PRH is assessed by making reference to the applicant's household income, assets, property ownership, and residence period in Hong Kong⁵, without distinction as to race, colour, descent or national or ethnic origin.

³ The Youth Employment and Training Programme is implemented by the LD to provide comprehensive pre-employment and on-the-job training for young school leavers aged 15 to 24 with educational attainment at sub-degree or below level.

⁴ These languages include Tagalog, Hindi, Indonesian, Thai, Sinhala, Nepali and Urdu in addition to Chinese and English.

⁵ A PRH applicant and all his/her family members must be residing in Hong Kong and have the right to land in Hong Kong without being subject to any conditions of stay (except for conditions concerning the limit of stay).

Housing needs of new arrivals

5.51 All applicants for PRH, irrespective of their race, colour, descent or national or ethnic origin, are subject to the same set of eligibility criteria. One of the criteria is that at least 50% of an applicant's household members included in the application must have lived in Hong Kong for seven years⁶ and are still living in Hong Kong at the time of flat allocation. This residence requirement had already been relaxed several times since its introduction in 1979. Since PRH are precious social resources heavily subsidised by public expenditure, it is considered fair and reasonable to maintain the current residence rule. The current system already provides the necessary flexibility to people with urgent and genuine housing needs whereby they can have access to PRH through compassionate rehousing⁷.

Measures to facilitate ethnic minorities to apply for PRH

5.52 Information on PRH application, written in six ethnic minority languages commonly used in Hong Kong, can be found in the website of the Housing Department (HD). In addition, the HKSAR Government is funding non-profit-making organisations to offer interpretation services to ethnic minorities. When the HD issues notification letters to ethnic minority applicants, it will attach an information note, written in ethnic minority languages commonly used in Hong Kong, to inform applicants of translation/interpretation services available at the support service centre run by the non-profit-making organisations. Such information can also be easily accessed by the public through the HD's website.

5.53 Every PRH applicant needs to undergo a detailed eligibility vetting interview conducted by the HD. To facilitate ethnic minority applicants in attending the interview, upon their requests made before the interviews, the HD will arrange for professional interpreters to provide translation services during the interviews. In case an applicant has not

⁶ All children under the age of 18 are deemed to have fulfilled the seven-year requirement if they meet one of the following conditions –

- (a) at least one of their parents has lived in Hong Kong for seven years or more; or
- (b) the children have established Hong Kong birth status as a permanent resident.

⁷ Compassionate rehousing is a form of housing assistance, which aims at providing assistance to individuals and families who have genuine and imminent housing problems on social or medical grounds which cannot be solved by themselves. The Social Welfare Department is responsible for recommending eligible applicants to the HD for allocation of PRH unit.

made prior request but need such service at the time of the interview, the HD will contact the relevant support service centre to see if interpretation service can be arranged via webcam. Training has been provided to enhance staff's understanding of the RDO and related guidelines, and to promote their racial sensitivity so as to facilitate provision of services to the ethnic minorities.

(iv) Right to receive medical care and social welfare

5.54 The right to receive medical care and social welfare is enjoyed without distinction as to race, colour, descent or national or ethnic origin. Article 36 of the Basic Law provides that Hong Kong residents shall have the right to social welfare in accordance with law. Article 145 further provides that, on the basis of the previous social welfare system, the HKSAR Government shall formulate policies on the development and improvement of this system "in the light of the economic conditions and social needs".

5.55 The HKSAR Government's social security policy is to meet the basic and special needs of people in Hong Kong. These include people such as the financially vulnerable, the elderly, and the severely disabled. All local residents enjoy the right to the non-contributory social security system irrespective of their race, colour, descent or national or ethnic origin.

5.56 Further to paragraphs 167 to 169 of the previous report, the residence requirement under the Comprehensive Social Security Assistance (CSSA) Scheme was adjusted from "seven-year residence requirement" to "one-year residence requirement" on 17 December 2013. Applicants, irrespective of their race, can receive CSSA once they pass the residence rule and assets and income tests.

5.57 The Hong Kong Poverty Situation Report on Ethnic Minorities 2014 released by the HKSAR Government in December 2015 showed that, among the ethnic groups in the HKSAR, the poverty rate of South Asians was higher and that South Asian households with children faced greater poverty risk. After taking into account recurrent cash policy interventions such as CSSA, the poverty rate of South Asian households with children in 2014 was reduced significantly by 17.3 percentage points from 48.1% to 30.8%. Yet this was still higher than the 16.2% post-intervention poverty rate for the overall households with children in the HKSAR. While the Low-income Working Family Allowance to be introduced in May 2016 as well as the education and

training measures covered in the Report are expected to lift more South Asian households with children out of poverty, the Special Needs Groups Task Force under the Commission on Poverty is considering what more could be done to better address the poverty problem of South Asians in the HKSAR.

5.58 In order to ensure that the needy persons can have access to the relevant information through sufficient channels, the HKSAR Government has all along emphasised the importance of promoting public knowledge of the social security system. Apart from Chinese and English versions, information leaflets on major social security schemes are also available in other languages including Hindi, Indonesian, Nepali, Tagalog, Thai and Urdu.

5.59 In providing social services for ethnic minorities, the HKSAR Government seeks to facilitate their integration into the local community. To this end, the HKSAR Government encourages ethnic minorities in need to make use of the support provided by mainstream services, including family and child welfare services, youth services, medical social services, etc. For example, based on district needs, Integrated Family Service Centres or Integrated Services Centres or Integrated Children and Youth Services Centres organise various groups and programmes to enhance ethnic minorities' understanding of the local community they reside in. Those activities will also strengthen their social participation and provide them with more integration opportunities with the local community.

5.60 As regards access to medical care, it is a well-established policy of the HKSAR that no one should be prevented from obtaining adequate medical treatment due to a lack of means. All persons who hold valid Hong Kong identity cards have access – at very low cost - to public health services. Persons who do not hold valid Hong Kong identity cards also have access to those services although they will be charged at higher rates. It is the HKSAR Government's policy to promote and protect the health of the community and to ensure that public healthcare services are available to all members of the public regardless of their race, colour, descent or national or ethnic origin. Specific measures have been put in place to facilitate ethnic minorities to access the public healthcare services. Scheduled/non-scheduled interpretation services are available in public hospitals/clinics under the management of the Hospital Authority and in the Department of Health's health centres/clinics. To facilitate communication with the ethnic minorities in public hospitals/clinics, the Hospital Authority has provided its

frontline staff with response cue cards, information sheets of common diseases and consent forms in a number of ethnic minority languages to enhance communication. While the health education resources produced by the Department of Health are generally in Chinese and English, information in some minority languages is also provided for a number of selected health topics and the Department's services.

(v) Right to education and training

5.61 As explained in paragraph 151 of the initial report, these rights are enjoyed without distinction as to race, colour, descent or national or ethnic origin.

5.62 The issue of education for non-Chinese speaking children was discussed in paragraphs 152 to 153 of the initial report. The updated position of the relevant issues of concern is as follows –

Securing school places

5.63 The position remains the same as stated in paragraph 175 of the previous report.

Opportunities to learn Chinese and support services to non-Chinese speaking children

5.64 All children, regardless of their race, are eligible to study in public sector schools provided that they are either Hong Kong permanent residents or that their travel documents contain an appropriate endorsement on their conditions of stay in Hong Kong. The HKSAR Government is committed to encouraging and supporting the integration of NCS students (notably ethnic minorities and/or NCS immigrants) into the community, including facilitating their early adaptation to the local education system and mastery of the Chinese language.

5.65 At paragraph 31 of the previous Concluding Observations, the Committee expressed concern that no official education policy for teaching Chinese as a second language for NCS students with an immigrant background in Hong Kong has been adopted, and the Committee recommended that a policy on Chinese teaching for NCS students from immigrant background be developed in consultation with teachers as well as the communities concerned, and efforts to improve the quality of Chinese language education for immigrant children should be intensified.

5.66 In the 2014/15 school year, the Education Bureau (EDB) implemented the “Chinese Language Curriculum Second Language Learning Framework” (“Learning Framework”) in primary and secondary schools to help NCS students overcome the difficulties of learning Chinese as a second language with a view to facilitating their effective learning of Chinese and enabling them to bridge over to mainstream Chinese Language classes in gaining requisite qualifications for admission to post-secondary and tertiary institutions. Through a series of teacher professional development programmes launched before the commencement of the 2014/15 school year, teachers (including principals, vice-principals, curriculum leaders, Chinese Language panel heads and teachers) of primary and secondary schools admitting NCS students have grasped the strategies for the implementation of the “Learning Framework”, the “Chinese Language Assessment Tools” to be used in conjunction with the “Learning Framework”, and the curriculum planning tools for the “Learning Framework”. Details of the support measures put in place since the 2006/07 school year with enhancement starting from the 2014/15 school year are set out below –

Chinese language curriculum

- (a) ***Supplementary guide on the teaching of Chinese to NCS students***: a supplementary guide was developed in 2008 under the central Chinese Language curriculum framework. It provides advice on the selection of key learning targets and objectives related to different strands, and principles of selecting relevant materials and contexts for the different needs of students. It is supported by examples based on the experience of learning and teaching of Chinese Language to NCS students in local schools.
- (b) ***Chinese Language Curriculum Second Language Learning Framework***: the “Learning Framework” provides a systematic set of learning targets, learning objectives and expected learning outcomes at different learning stages according to the curriculum, and serves as a reference for evaluation of learning effectiveness, which complements the aforementioned supplementary guide;
- (c) ***Applied Learning Chinese (for NCS students) subject***: to cater for the diverse expectations, needs and aspirations of NCS students, starting from the 2014/15 school year, an

Applied Learning Chinese (for NCS students) subject is introduced by phases at senior secondary level to offer an additional channel for NCS students to acquire an alternative recognised qualification to facilitate their academic and career pursuits;

Professional and funding support

- (d) ***Revised mode of support:*** the centralised approach of providing a special grant and intensive on-site professional support to enhance the learning and teaching of Chinese to NCS students for a certain number of schools, known as the so-called “designated schools” (the label of which is a misnomer), was revised in the 2013/14 school year. Instead, all schools admitting 10 or more NCS students are provided with additional funding, the provision of which is further enhanced starting from the 2014/15 school year to facilitate schools’ implementation of the “Learning Framework” and creation of an inclusive learning environment in schools. In tandem, enhanced school-based professional support is provided to schools through diversified modes, including intensive on-site support through regular visits by professional officers or experts from local universities to conduct collaborative lesson planning with teachers to develop the school-based Chinese Language curriculum, learning and teaching strategies, school-based teaching resources/materials, learning activities and assessment designs, etc.;
- (e) ***Training for Chinese Language teachers:*** in addition to organising professional development programmes for teachers, the HKSAR Government has, since the 2006/07 school year, commissioned tertiary institutions to run training programmes for Chinese Language teachers to enhance their professional capability in teaching Chinese as a second language;
- (f) ***School-based Support Scheme Grant:*** public-sector schools with intake of newly-arrived NCS children (including newly-arrived ethnic minority children) are provided with the Grant to flexibly arrange school-based programmes such as orientation, intensive and/or remedial teaching, and

personal development training to meet the learning and adaptation needs of the newly arrived NCS students;

- (g) ***Flexible deployment of resources:*** to optimise the effective use of resources, schools admitting NCS students are encouraged to flexibly deploy the different resources currently provided for meeting students' diverse learning needs;

Other complementary support measures

- (h) ***Summer Bridging Programmes:*** schools with NCS students admitted to Primary 1 are provided with funds to run four-week Summer Bridging Programmes to familiarise Primary 1 entrants with the school environment and to raise their interest in the learning of Chinese. Starting from summer 2007, these Programmes have been extended to cover NCS students proceeding to Primary 2, Primary 3 and Primary 4 to help them consolidate what they have learned in Key Learning Stage 1. The Programmes were further refined in 2013 to encourage NCS parents to accompany their children with a view to enhancing their exposure to, and use of, Chinese and support for their children;
- (i) ***Chinese Language Learning Support Centres:*** a local university has been commissioned to run Chinese Language Learning Support Centres, which support NCS students who have a late start in learning the Chinese language or have not been given full opportunities to learn the local Chinese Language curriculum, by offering remedial programmes for these students after school hours or during holidays. The Centres also develop related teaching resources and organise workshops and seminars for Chinese Language teachers;

Articulation to multiple pathways

- (j) ***Alternative qualifications in Chinese:*** internationally recognised Chinese Language qualifications including the General Certificate of Secondary Education, International General Certificate of Secondary Education and General Certificate of Education are accepted as alternative Chinese qualifications for NCS students in consideration for admission to local universities and post-secondary

institutions as well as appointment to the civil service. Eligible NCS students are subsidised for sitting the aforementioned internationally recognised Chinese examinations. Needy students may be granted half or full remission of the subsidised examination fee;

- (k) ***Vocational Chinese and vocational training:*** to enhance the employability of NCS school leavers, local post-secondary institutions have been commissioned to develop and operate vocational Chinese courses which are expected to be launched in the first quarter of 2016;

Research studies

- (l) ***Studies on the integration of ethnic minority students:*** a three-year longitudinal study to track the development and adaptation of ethnic minority students was completed in 2008. Another study on good practices in primary and secondary schools to support NCS students was completed in 2010;
- (m) ***Evaluation of the support measures:*** alongside the implementation of the “Learning Framework”, a research framework has been drawn up according to the advice of research and language experts to evaluate the effectiveness of various support measures for NCS students to ensure the quality of the support measures and refine individual measures where appropriate. Data collection and associated research work under the research framework have started upon completion of the 2014/15 school year when initial data on the performance of NCS students and feedback on the impact of various support measures are available;

Communication with NCS parents

- (n) ***Promotion of early integration:*** NCS students’ early start in learning Chinese is critical to their adaptation to mainstream curriculum and integration into the community, the earlier the better. NCS parents are encouraged to send their children to local kindergartens. Enhanced school-based professional support is provided to kindergartens admitting NCS children. Besides, in collaboration with NGOs,

district-based programmes have been organised since the 2012/13 school year to motivate NCS children to learn Chinese through fun activities such as games and creative art, etc.;

- (o) ***Dissemination of information:*** to enhance reaching-out of the educational services to the NCS parents and students, a Parent Information Package and leaflets outlining the school system, major education policies and the related education services have been published and updated as necessary. The Package and notes on kindergarten education, school places allocation systems and support measures for NCS students are published in English and Chinese and translated into the major ethnic minority languages for NCS parents' easy reference. Dedicated briefing sessions with simultaneous interpretation services will continue to be organised for NCS parents. Besides, the EDB has set up a dedicated website and a hotline with interpretation services for NCS parents/students.

5.67 With the implementation of the “Learning Framework” and the Applied Learning Chinese subject, NCS students' motivation to learn Chinese and the effectiveness of their learning have improved. More schools are accepting NCS students and more parents of NCS students are willing to enrol their children in a wider range of schools. Overall speaking, the outcomes of the package of initiatives are positive thus far. The EDB will continue to monitor progress and refine the implementation details to suit the prevailing needs of NCS students.

Diversity in the education sector

5.68 Educational alternatives for students with different preferences continue to exist, both within and outside the public sector. For example, some public sector schools use English as the medium of instruction. Some schools also offer the opportunity to learn other languages including those of Hong Kong's major ethnic minority groups such as Hindi or Urdu. Additionally, some schools, mainly privately-run, offer non-local curricula at the primary and secondary levels. Subject to the HKSAR Government's prevailing policy, the availability of resources and the applicable vetting mechanism, some of these private schools may be allocated vacant school premises or greenfield sites, and/or receive one-off capital assistance or interest free loan from the HKSAR Government for school building. At present,

some 65 such schools offer a range of curricula, including those of the USA, Australia, Canada, the United Kingdom, France, Germany, Japan, Korea, Singapore and so forth.

Access to tertiary education and vocational and professional education and training

5.69 The position remains the same as elaborated in paragraphs 180 to 182 of the previous report.

5.70 The Vocational Training Council offers vocational and professional education and training programmes and the Employees Retraining Board offers retraining services to eligible persons, irrespective of race, colour, descent or national or ethnic origin. In particular, the Board provides dedicated training courses delivered in English since mid-2007 to meet the aspirations and training needs of NCS trainees. The courses straddle across eight different industry categories (covering property management and security, beauty therapy, hotel, business, catering, social services, tourism and healthcare services). Special measures and services are also provided to facilitate and support their training, for example, in-class interpretation services by teaching assistants who can speak English and ethnic minority languages are arranged as necessary.

(vi) Right to participate in cultural activities

5.71 The position remains the same as explained in paragraph 159 of the initial report. The right to participate in cultural activities is guaranteed by Article 34 of the Basic Law and Article 15 of the International Covenant on Economic, Social and Cultural Rights. The right is enjoyed without restriction as to race, colour, descent or national or ethnic origin.

Article 5(f) - right of access to services

5.72 The position remains the same as explained in paragraph 160 of the initial report. That is, by virtue of Article 22 of the BOR all laws that regulate the right of access to any place or service intended for use by the general public, such as transport, hotels, restaurants, cafes, theatres and parks, must not be discriminatory either in their terms or in their practical application. Additional safeguards have also been provided by the RDO to ensure the right of access to services by ethnic minorities.

Article 6 - Provision of effective protection and remedies against any acts of racial discrimination

Equal Opportunities Commission

6.1 Under the RDO, a person may lodge a complaint with the EOC if he/she encounters discrimination on the ground of race in specified areas, including employment, education, the provision of goods, facilities or services and the disposal or management of premises, or other forms of unlawful acts specified in the Ordinance. These complaints can be made by an aggrieved person or his/her representative. For aggrieved persons who cannot speak and write Chinese or English, interpretation services in other languages would be provided upon request to assist them to lodge complaints.

6.2 From July 2009 to June 2015, a total of 335 complaint cases and 2 717 enquiries under the RDO were received by the EOC. Among the complaint cases, 89 were employment-related, 12 were related to education issues, 185 concerned the provision of goods, services and facilities, and 49 were of other natures.

6.3 The EOC handles complaints by way of investigation and conciliation. The complaint handling mechanism of the EOC provides a free and alternative platform for people to resolve their cases outside the court system. The primary objective of the EOC is to encourage a settlement between the complainant and the respondent by way of conciliation. The advantage of conciliation is its relative speed in comparison with other forms of redress. Conciliation is a completely voluntary process, and parties cannot be compelled to settle a complaint. The settlement terms are negotiable between the parties. From the cases settled in the past, some examples of the settlement terms were monetary compensation, different forms of apology, change of policy, provision of training on equal opportunities, etc.

6.4 If a complaint is not successfully conciliated during the EOC's complaint handling process, the complainant has the right to apply to the EOC for legal assistance. Applications for legal assistance are decided by the EOC's Legal and Complaints Committee and each application is considered independently. Legal assistance by the EOC may include initial legal advice and legal representation for the assisted person in court. A total of 10 legal applications have been received by the EOC in relation to the RDO, among which assistance was granted to three assisted persons.

6.5 Under the RDO, complainants may also institute civil proceedings in the District Court, which is elaborated further at paragraph 6.9 below. This can be done in addition, or as an alternative, to lodging a complaint with the EOC.

The Ombudsman

6.6 The position remains the same as reported in paragraph 192 of the previous report. The Ombudsman is empowered to investigate, in accordance with The Ombudsman Ordinance (Cap. 397), complaints of grievances arising from maladministration in the public sector including inefficiency, bad or improper administration, unreasonable conduct (such as delay, discourtesy and lack of consideration for the affected person) and abuse of power or authority (such as unreasonable, unjust, oppressive or improperly discriminatory actions). Where, after such investigations, either by The Ombudsman or by the HKSAR Government itself, misconduct or malpractice is established, the HKSAR Government will take appropriate remedial and corrective measures, which may include disciplinary action against the officers concerned.

Legal Aid Department

6.7 The Legal Aid Department has taken effective measures to ensure that ethnic minorities have equal access to its services and timely assistance is rendered to applicants/aided persons who are of ethnic minority origins when delivering legal aid services to them. The Department's measures include –

- (a) publishing and distributing a series of leaflets on legal aid services in 10 ethnic minority languages (i.e., Bengali, Hindi, Nepali, Indonesian, Tagalog, Thai, Urdu, Vietnamese, Punjabi and Tamil);
- (b) arranging free interpretation service for applicants who do not speak English or Chinese to help them with the application process;
- (c) displaying a poster in the aforesaid 10 languages at the Department's offices to promote and alert applicants of the Department's free interpretation service;

- (d) uploading the abovementioned leaflets and poster to the Department's website and allowing free download to enhance public's access, as well as making these leaflets available at relevant consulate offices, the Judiciary's Resource Centre for Unrepresented Litigants, the Office of the Legal Advice Scheme for Unrepresented Litigants on Civil Procedures, police stations, the public enquiry service centres of the HAD, the premises of the LD, the CSD, the Social Welfare Department and public hospitals;
- (e) notifying the Judiciary to arrange free service of an interpreter at legal aid appeal hearings for applicants/appellants who do not speak English or Chinese; and
- (f) paying interpretation and translation expenses reasonably incurred by assigned lawyers for the proper conduct of the case in advance as litigation expenses when legal aid is granted to persons of ethnic minority origins.

The court system

6.8 The position remains broadly as explained in paragraphs 162 to 164 of the initial report. The rights and freedoms enjoyed by Hong Kong residents under the Basic Law include the right to equality before the law under Article 25. Article 22 of the BOR also guarantees the right to equality before the law and equal protection of the law. Any acts of racial discrimination by the HKSAR Government or public authorities may infringe the Basic Law and the HKBORO, and the courts may grant remedies and relief as appropriate.

6.9 The RDO provides specific legal protection against racial discrimination. Under the RDO, a victim of racial discrimination, harassment or vilification may make a claim by bringing civil proceedings in the District Court. The District Court has the power to grant such judicial remedies in those proceedings as would be obtainable in the Court of First Instance. In particular, the District Court may –

- (a) make a declaration that the respondent has engaged in conduct that is unlawful under the Ordinance and order that the respondent shall not repeat or continue such unlawful conduct;

- (b) order that the respondent shall perform reasonable act or course of conduct to redress any loss or damage suffered by the claimant;
- (c) order that the respondent shall employ or re-employ the claimant;
- (d) order that the respondent shall promote the claimant;
- (e) order that the respondent shall pay to the claimant damages by way of compensation for any loss or damage suffered by reason of the respondent's conduct;
- (f) order that the respondent shall pay to the claimant punitive or exemplary damages;
- (g) make an order declaring void in whole or in part and either ab initio or from such date as may be specified in the order, any contract or agreement made in contravention of the Ordinance.

Article 7 - Measures to combat prejudice

7.1 The HKSAR Government attaches great importance to public education as an effective measure to foster understanding and to cultivate respect for racial differences, which are fundamental for the elimination of prejudices and discrimination. This Report has outlined the many initiatives taken on public education against racial discrimination and support services for the ethnic minorities. The HKSAR Government shall continue to implement these measures and, subject to assessment of need and availability of resources, enhance relevant services as necessary.

7.2 For example, in 2014, the Constitutional and Mainland Affairs Bureau and the Radio Television Hong Kong co-operated to produce a 10-episode TV documentary series (“Hong Kong, My Home”), made available at local TV channels and on the Internet, and a school outreach programme to help the public understand the culture and customs of different ethnicities. In the light of the positive feedback, the Bureau has commissioned another series for broadcast in the summer of 2016.

Equal Opportunities Commission

Code of Practice and Guides

7.3 The RDO and the Code of Practice on Employment (Code) issued by the EOC pursuant to section 63 of the Ordinance came into full operation in July 2009. As employment is an important aspect of daily life and ethnic minorities are often vulnerable to workplace discrimination, this Code gives practical guidance on how to prevent discrimination, harassment and other unlawful acts on the ground of race. The Code is intended to encourage employers, employees and other concerned parties to promote racial equality and harmony in the workplace by adopting good practice, and to help them understand their respective rights and responsibilities under the Ordinance.

7.4 Besides, a number of publications and guides have been developed and published in English, Chinese and ethnic minority languages to explain the application of the RDO in different sectors. Some major ones include “A Guide for Foreign Helpers and Their Employers”, “What You Should Know as a Real Estate Agent, Landlord, Tenant, or Home Buyer” (a guide to addressing discrimination in real estate leasing and sales), “Racial Equality and School Uniform” (a guide

for schools to develop and implement uniform rules that are racially and culturally inclusive).

Public Education and Publicity

7.5 Apart from law enforcement, public education is also key to combating prejudice and discrimination. Since the implementation of the RDO, the EOC has accorded a high priority to increasing public understanding of the law and promoting cultural inclusion through a diversity of publicity and educational programmes, including –

- (a) publication of “RDO and I” leaflet to provide a brief introduction of the provisions in the RDO in multiple languages;
- (b) weekly radio programmes and other publicity projects on different mainstream radio channels;
- (c) radio segments on radio shows targeted at ethnic minority communities;
- (d) five episodes of TV docudrama titled “A Mission for Equal Opportunities” on the promotion of racial equality and integration;
- (e) announcements in the Public Interest on TV and radio;
- (f) outdoor advertisement campaigns at the Mass Transit Railway stations, bus shelters, bus body and tramcar body;
- (g) advertisements in newspapers targeted at both mainstream and ethnic minority readers;
- (h) newspaper supplements on racial equality and diversity;
- (i) “A World of Colours” resource webpage on race issues;
- (j) “My Vision of Equal Opportunities” Photo Competition;
- (k) YouTube video competition and online media promotion;
- (l) roving exhibitions on the RDO; and

- (m) Community Participation Funding Programme for 145 projects from NGOs promoting racial equality and integration.

7.6 In order to introduce the concepts of equality and non-discrimination at an early stage, the EOC has been conducting talks at different schools to prevent racial discrimination and encourage cultural inclusion. In addition, the EOC employs other interactive approaches to develop educational programmes for youths, such as school drama performances, and sharing from outstanding achievers as mentors (Project “Uniquely Me!”). Through these channels, the EOC was able to cover a wide spectrum of participants including both Chinese students and ethnic minority students as well as teachers and school administrators.

7.7 Employers and providers of goods, services and facilities are also major target groups of the EOC’s educational programmes on the RDO and promotion of culturally inclusive workplace. Therefore, training and talks on these subjects have been provided regularly to both the public and private sectors. Over the years, 290 course sessions have been implemented to educate students and teachers, civil servants, staff from small and medium enterprises, members of professional bodies, etc. The number of participants totalled 16 700.

7.8 To raise the awareness of the protection under the RDO among the ethnic minority population, the EOC also frequently conducts outreach activities to the ethnic minority communities as well as religious organisations (248 community events, 163 network meetings and 102 visits to religious organisations since 2009) and has successfully established strong connections with community leaders and NGOs working for ethnic minorities. Workshops and talks were regularly delivered to members of different ethnic minority communities (303 workshops and talks to 20 364 participants since the beginning of 2009) and their feedback on discrimination and inclusion was collected for consideration of policy recommendation.

Surveys and Reports

7.9 The EOC set up the Working Group on Ethnic Minority Education in July 2010 to study the education barriers faced by ethnic minority students. Through a number of research projects, the EOC also regularly collects information about discrimination experienced by ethnic minorities in education, employment and obtainment of services, so as to

look into the issues and propose measures for improvement to the HKSAR Government and respective sectors.

7.10 The EOC published the “Study on Racial Encounters and Discrimination Experienced by South Asians” in 2012. The study found that the most common types of discriminatory behaviours against South Asians were related to finding employment and on-the-job treatment. Socially, there had been little interaction between the Chinese society and the South Asian community. Based on the findings, the EOC proposed a range of measures on employment, education, social interaction and provision of goods, services and facilities to boost mutual understanding and social integration.

Work of the Ethnic Minorities Unit

7.11 On the training level, in view of the difficulties many ethnic minorities encountered in schooling as well as getting bank and housing services, a number of sectors such as education, banking and property are primary targets for cultural sensitivity training. Workshops and talks for educators, banking staff and estate agents were conducted or would be implemented. Besides, suggested practices for fair service to ethnic minority customers have been provided for dissemination to banks in Hong Kong and a booklet on the application of the RDO in the school setting and the development of an inclusive school environment will be published in 2015-16. Meanwhile, the EM Unit is working with the Hong Kong Monetary Authority, The Hong Kong Association of Banks and the Estate Agents Authority to deal with ethnic minorities’ difficulties in obtaining banking services and renting flats. The EM Unit also held discussions with the EDB and Hospital Authority to look into the progress of the HKSAR Government’s support for ethnic minority students to learn Chinese and integrate into mainstream society, as well as the measures to overcome language barriers in hospital services respectively.

7.12 In order to strengthen the EOC’s ability to communicate and network with various ethnic and linguistic communities, the EM Unit also recruited staff from a diversity of ethnic minority groups in Hong Kong (Indian, Indonesian, Nepalese, Thai, and Pakistani), so that the messages of anti-discrimination and racial harmony can be more effectively promoted. Through these networks, the EOC is able to foster closer partnership and embark on joint projects to intensify efforts in this area. For instance, the EOC launched its 2015 annual forum under the theme of “Education and Employment Challenges of Ethnic Minorities” in which

stakeholders such as ethnic minority community leaders, NGO representatives, Government officials and employers can be brought together to communicate on concerns relating to various ethnic groups.

Schools

7.13 Schools in Hong Kong promote students' understanding of the roles, rights and responsibilities of individuals and groups and the importance of social justice; also their appreciation of and respect for the cultures and heritage of different communities through the teaching of relevant subjects such as General Studies at primary level, Life and Society at junior secondary level, as well as History, Ethics and Religious Studies, Tourism and Hospitality Studies, Health Management and Social Care and Liberal Studies at senior secondary level. In addition, schools implement Moral and Civic Education through related lessons or whole-school approach learning activities to instil in students the importance of human rights, rule of law, democracy, equality, respect for others, freedom, justice, care for others, racial harmony, etc. In parallel, schools also provide multifarious co-curricular activities and Other Learning Experiences (at senior secondary level), such as assemblies, talks, service learning, visits, etc. to deepen students' understanding of these concepts and values. Towards this end, the EDB has been organising activities on a continual basis to facilitate student learning and teachers' professional development according to their needs, and developing related learning and teaching resources.

7.14 Many tertiary institutions offer programmes on history and culture of different countries, either for specific humanities discipline or as general education programmes for all their students. Courses on various aspects on human rights are also offered by the University Grants Committee-funded institutions. These programmes enable students to gain a better understanding of people of different races and ethnic origins. Many University Grants Committee-funded institutions have also organised student exchange and other forms of informal activities which are conducive to promoting cultural diversity, widening the students' exposure as well as enhancing their appreciation of different culture.

Committee on the Promotion of Civic Education

7.15 The Committee on the Promotion of Civic Education (CPCE) under the Home Affairs Bureau promotes civic education outside schools, including human rights. As explained in paragraph 196 of the previous report, the CPCE has a full-time education unit for the purpose. In

addition, the CPCE provides sponsorship to community organisations through its Community Participation Scheme to organise activities to promote public understanding of human rights, among others.

Committee on the Promotion of Racial Harmony/Ethnic Minorities Forum

7.16 The HKSAR Government's efforts are supported by the CPRH which consists of members of different racial groups from different walks of life and include representatives from HKSAR Government departments and NGOs which are involved in providing services for the ethnic minorities. The CPRH discusses proposals for race-related public education and publicity as well as support services to help ethnic minorities gain access to public services such as education, healthcare, employment, housing and social welfare services so as to enable relevant Government departments to hear their views. Moreover, through dialogues at the Ethnic Minorities Forum, a platform for communication between the HKSAR Government and ethnic minority communities, the HKSAR Government aims to ensure that services and public education programmes are effectively focussed on relevant areas of needs and concerns, and at the appropriate targets.

Durban Declaration and Programme of Action 2001

7.17 General Recommendation XXVIII of the Committee calls on State Parties to "include in their periodic reports information on action plans or other measures they have taken to implement the Durban Declaration and Programme of Action at the national level". The HKSAR Government's response to the paragraphs in the Programme of Action applicable to the HKSAR is in the **Appendix**.

**Durban Declaration and Programme of Action 2001
(Position as at 31 December 2015)**

Note for readers: the Programme of Action forms part of the Durban Resolution. Each call, or group of calls, within the Programme corresponds to individual resolutions – or groups of resolutions – within the Resolution as a whole. The first 23 paragraphs of the Programme address matters that do not pertain to the situation of or in the HKSAR, the broad areas concerned being international investment and the alleviation of global poverty, Africans and people of African¹ descent (the contents being chiefly concerned with development and land issues in Africa), and indigenous peoples. The issues that do impinge on the HKSAR begin with the question of migrants, which starts from paragraph 24 of the Programme. For this reason, our response – this checklist – commences at that point and the numbering of the items below corresponds to paragraph numbers in the Programme.

For the following subject areas under the Programme of Action as reported in the previous report: 28; 30(c), (e), (h); 36-38; 53; 55-56; 59; 63-64; 67(a); 69; 72; 74(b); 75-76; 78(a)-(i), (k)-(m); 92; 98; 128; 130-132; 134-135; 138; 161; 164 (a), (d), (f), (i); 169; 175; 212; 214; and 216-217, the position remains the same as in the previous report.

Subject area	Specific provision(s)	Position
Migrants		
24. Migrants and asylum seekers	Requests all States to combat manifestations of a generalized rejection of migrants and actively to discourage all racist demonstrations and acts that generate xenophobic behaviour and negative sentiments towards, or rejection of, migrants	Racial discrimination is not a prevalent or serious problem in the HKSAR. Although over 90% of the population is ethnic Chinese, the HKSAR has always been a cosmopolitan city and its people have a long tradition of living in harmony with and respect for persons from diverse cultural background and ethnic origins. We continue actively to foster understanding and racial harmony through public education, as well as to facilitate integration through administrative support services to ethnic minorities.

¹ There are, of course, Africans and persons of African descent living and working in Hong Kong but, to the extent that they may be victims of racial discrimination (and so forth), their concerns exhibit no qualitative difference to that experienced by, for example, persons from South or Southeast Asia. Their concerns are therefore accommodated within the overall framework of measures that we employ to combat discrimination. Those measures are explained below.

Subject area	Specific provision(s)	Position
26. Human rights and fundamental freedoms of migrants	Requests States to promote and protect fully and effectively the human rights and fundamental freedoms of all migrants, in conformity with the Universal Declaration of Human Rights and their obligations under international human rights instruments, regardless of the migrants' immigration status	<p>The position remains the same as in the previous report with the following update.</p> <p>The means-tested CSSA scheme provides financial assistance to needy individuals and families to meet their basic needs. The Social Security Allowance (SSA) Scheme provides allowances to meet the special needs of the severely disabled and elderly persons. To be eligible for CSSA, an applicant must have held the Hong Kong resident status for not less than one year and have resided in the HKSAR for at least one year since acquiring the Hong Kong resident status to the date prior to the date of application. To be eligible for SSA, an applicant must have been a Hong Kong resident for at least seven years and have resided in the HKSAR continuously for at least one year immediately before the date of application. Hong Kong residents aged below 18 applying for CSSA or a disability allowance under the SSA Scheme are exempted from the above residence requirements.</p> <p>Persons whose presence in the HKSAR is unlawful and persons permitted to stay in the HKSAR for a purpose other than residence are excluded from the CSSA and SSA Schemes. The Director of Social Welfare may exercise discretion and grant assistance to applicants who do not satisfy the residence requirement, but are in genuine hardship.</p>
27. Family reunification and public education on the rights of migrants	Encourages States to promote education on the human rights of migrants and to engage in information campaigns to ensure that the public receives accurate information regarding migrants and migration issues, including the positive contribution of migrants to the host society and the vulnerability of migrants, particularly those who are in an irregular situation	<p>(a) family reunification: the position remains the same as in the previous report.</p> <p>(b) public education on the rights of migrants: the position remains the same as in the previous report. Some activities are implemented in Mainland China to help prospective settlers have a better understanding of the circumstances in the HKSAR before deciding to live here.</p>

Subject area	Specific provision(s)	Position
29. Elimination of racial discrimination etc.	Urges States to take concrete measures that would eliminate racism, racial discrimination, xenophobia and related intolerance in the workplace against all workers, including migrants, and ensure the full equality of all before the law, including labour law, and further urges States to eliminate barriers, where appropriate, to: participating in vocational training, collective bargaining, employment, contracts and trade union activity; accessing judicial and administrative tribunals dealing with grievances; seeking employment in different parts of their country of residence; and working in safe and healthy conditions	The HKBORO prohibits all forms of discrimination – including racial discrimination – on the part of the HKSAR Government and the public authorities. We have further enacted the RDO in July 2008 to extend the scope of legal protection for individuals by prohibiting acts of racial discrimination in specified areas committed by private persons, groups or organisations as well as by the HKSAR Government. The RDO came into full operation in July 2009.
30. Protection of minority rights	Urges States: (a) To develop and implement policies and action plans, and to reinforce and implement preventive measures, in order to foster greater harmony and tolerance between migrants and host societies, with the aim of eliminating manifestations of racism, racial discrimination, xenophobia and related intolerance, including acts of violence, perpetrated in many societies by individuals or groups; (b) To review and revise, where necessary, their immigration laws, policies and practices so that they are free of racial discrimination and compatible with States’ obligations under international human rights instruments;	Please see our response to items 27 to 29. The EOC is entrusted under the RDO with the functions and powers to work towards the elimination of racial discrimination and to promote equality of opportunity and harmony between persons of different racial groups. It has also set up an EM Unit to address the needs of ethnic minorities through the three-pronged approach of policy, training and outreach. Please see paragraphs 2.5 to 2.6 of the Report for details. Our immigration laws, policies and practices are in conformity with the provisions of the International Covenant on Civil and Political Rights as applied to Hong Kong and are consistent with our international human rights obligations.

Subject area	Specific provision(s)	Position
	<p>(d) To ensure that migrants, regardless of their immigration status, detained by public authorities are treated with humanity and in a fair manner, and receive effective legal protection and, where appropriate, the assistance of a competent interpreter in accordance with the relevant norms of international law and human rights standards, particularly during interrogation;</p> <p>(f) To consider the question of promoting the recognition of the educational, professional and technical credentials of migrants, with a view to maximizing their contribution to their new States of residence;</p> <p>(g) To take all possible measures to promote the full enjoyment by all migrants of all human rights, including those related to fair wages and equal remuneration for work of equal value without distinction of any kind, and to the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of</p>	<p>Article 5(4) of the BOR provides that anyone who is deprived of his liberty by detention shall be entitled to take legal proceedings before a court, in order that that court may decide on the lawfulness of his detention and order his release if the detention is not lawful. Article 6 of the BOR provides that all persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person. There are established guidelines and procedures in place to ensure that detainees receive fair and humane treatment (e.g. addressing their basic needs), they are immediately notified of their rights (e.g. to make telephone calls, to request legal representation, to remain silent under caution, and to seek consular assistance) and they are provided with suitable and competent interpretation services. Immigration staff are trained to handle detainees properly in accordance with these guidelines and an effective mechanism is in place to ensure compliance by staff. Up-to-date lists of competent interpreters are prepared regularly for staff's reference.</p> <p>Migrants to the HKSAR holding non-local qualifications who wish to have their qualifications recognised by employers in Hong Kong can approach the Hong Kong Council for Accreditation of Academic and Vocational Qualifications for assessment to determine their local equivalence.</p> <p>The position remains the same as in the previous report with the following update. In the event of financial hardship, migrants who enter the HKSAR for the purpose of residence meeting all the eligibility criteria, including the one-year residence requirement (persons aged below 18 are exempted from the residence requirement), are eligible for CSSA. However, persons whose presence in the</p>

Subject area	Specific provision(s)	Position
	<p>livelihood in circumstances beyond their control, social security, including social insurance, access to education, health care, social services and respect for their cultural identity</p>	<p>HKSAR is unlawful or persons who are permitted to stay in the HKSAR for a purpose other than residence (for example, imported workers and visitors) are excluded from the Scheme. Our social security policy aims to meet the basic and special needs of people in the HKSAR. This is achieved through the CSSA and SSA Schemes which provide comprehensive social security on an entirely non-contributory basis. See also the response to item 26 above for the details of the requirement of the CSSA and SSA Schemes.</p>
31. Gender issues	<p>Urges States, in the light of the increased proportion of women migrants, to place special focus on gender issues, including gender discrimination, particularly when the multiple barriers faced by migrant women intersect; detailed research should be undertaken not only in respect of human rights violations perpetrated against women migrants, but also on the contribution they make to the economies of their countries of origin and their host countries, and the findings should be included in reports to treaty bodies</p>	<p>The Women's Commission's mission is to enable women in the HKSAR to fully realise their due status, rights and opportunities in all aspects of life. To achieve this mission, the Commission has adopted a three-pronged strategy, namely the provision of an enabling environment, empowerment of women, and public education. The HKSAR Government accepted the recommendation of the Commission that, starting from April 2015, all bureaux and departments should refer to the gender mainstreaming checklist and apply gender mainstreaming when formulating major Government policies and initiatives. The Commission has also launched various public education and publicity programmes to reduce gender prejudice and stereotyping.</p>
32. Equal economic rights for migrants	<p>Urges States to recognize the same economic opportunities and responsibilities to documented long-term migrants as to other members of society</p>	<p>Except for foreign domestic helpers and workers imported under the Supplementary Labour Scheme who are only allowed to work for a specified employer, for a specified job, and, at a specified address, in principle, all persons whose terms of entry do not restrict them to work (which includes all persons who have migrated for settlement) are free to seek and hold employment in the open market or to establish businesses in the pursuit of their livelihood. The RDO prohibits racial discrimination in the area</p>

Subject area	Specific provision(s)	Position
		of employment. Please see our responses to items 27 to 30(a) above.
33. Access to health, education, and housing	Recommends that host countries of migrants consider the provision of adequate social services, in particular in the areas of health, education and adequate housing, as a matter of priority, in cooperation with the United Nations agencies, the regional organizations and international financial bodies; also requests that these agencies provide an adequate response to requests for such services	All persons who have immigrated for settlement have access to health, education, housing and welfare services on the same terms as the majority population. According to the RDO, it is unlawful for a person to discriminate against another person on the ground of his race in the areas of education and the provision of goods, facilities or services, including the provision of facilities for education and the services of the HKSAR Government. Please see paragraphs 5.50 to 5.70 of the Report for details.
34. Refugees, asylum seekers and displaced persons	Urges States to comply with their obligations under international human rights, refugee and humanitarian law relating to refugees, asylum-seekers and displaced persons, and urges the international community to provide them with protection and assistance in an equitable manner and with due regard to their needs in different parts of the world, in keeping with principles of international solidarity, burden-sharing and international cooperation, to share responsibilities	The Refugee Convention and its 1967 Protocol do not apply to the HKSAR. We maintain a firm and long-established policy of not determining refugee status and not granting asylum. The situation of the HKSAR is unique compared to many other countries or places in the world. Being a small city with a very dense population, a relatively long coastline, well-developed transportation network, a good economy with ample job opportunities, and a need to maintain a liberal visa regime to facilitate genuine visitors, the HKSAR is particularly vulnerable to the ill-effects of illegal immigrants who purport to come and stay here for economic reasons. There are plenty past and current examples that human smuggling syndicates will take advantage of any sign, however tenuous, of potential relaxation in the HKSAR's attitude towards illegal immigrants to mislead would-be migrants into believing that they may seek to enter and remain here. We do not see any change to the circumstances of the HKSAR that justify a departure from our established position of not applying the Refugee Convention to the HKSAR. Separately, the removal of foreigners liable to be removed from

Subject area	Specific provision(s)	Position
		<p>the HKSAR to another country will be withheld if there are substantial risks that, if removed, they will be subjected to torture (as defined under Part VIIC of the Immigration Ordinance and consistent with the definition in Article 1 of CAT), torture or cruel, inhuman or degrading treatment or punishment (under Article 3 of the BOR as construed by the CFA in <i>Ubamaka Edward Wilson v Secretary for Security</i> (2012) 15 HKCFAR 743), or persecution with reference to the non-refoulement principle under Article 33 of the Refugee Convention as decided by the CFA in <i>C & Others v Director of Immigration</i> (2013) 16 HKCFAR 280.</p> <p>Please see paragraphs 2.24 to 2.34 of the Report for details.</p>
35. Refugees	<p>Calls upon States to recognize the racism, racial discrimination, xenophobia and related intolerance that refugees may face as they endeavour to engage in the life of the societies of their host countries and encourages States, in accordance with their international obligations and commitments, to develop strategies to address this discrimination and to facilitate the full enjoyment of the human rights of refugees. States parties should ensure that all measures relating to refugees must be in full accordance with the 1951 Convention relating to the Status of Refugees and its 1967 Protocol</p>	Please see our response to item 34 above.
Victims		
50. Gender perspective in programmes of action against racial discrimination	<p>Urges States to incorporate a gender perspective in all programmes of action against racism, racial discrimination, xenophobia and related intolerance and to consider the burden of such discrimination which falls particularly on indigenous women, African</p>	<p>The HKSAR is governed by the rule of law and all persons in the HKSAR – regardless of race and gender – are equal before the law. The HKBORO prohibits discrimination on the part of the HKSAR Government and the public authorities on any ground such as race, sex or other status. Moreover, the Sex</p>

Subject area	Specific provision(s)	Position
	<p>women, Asian women, women of African descent, women of Asian descent, women migrants and women from other disadvantaged groups, ensuring their access to the resources of production on an equal footing with men, as a means of promoting their participation in the economic and productive development of their communities</p>	<p>Discrimination Ordinance and the RDO respectively prohibit any person, whether in a private or official capacity, from discriminating against another person on the basis of sex or race in the areas of employment, education and the provision of goods, facilities or services.</p> <p>It is required by the Chief Executive in the 2015 Policy Address that, starting from 2015-16, all Government bureaux and departments should refer to the Gender Mainstreaming Checklist and apply gender mainstreaming when formulating major Government policies and initiatives.</p>
<p>51. Involvement of women in decision-making relating to the elimination of racial discrimination</p>	<p>Urges States to involve women, especially women victims of racism, racial discrimination, xenophobia and related intolerance, in decision-making at all levels when working towards the eradication of such discrimination, and to develop concrete measures to incorporate race and gender analysis in the implementation of all aspects of the Programme of Action and national plans of action, particularly in the fields of employment programmes and services and resource allocation</p>	<p>The RDO was drafted after extensive public consultation, which included consultation with representatives and members of migrant workers groups (whose membership comprised almost entirely of women) and the Women’s Commission. Their views were taken into full account in the drafting process.</p>
<p>52. Gender analysis of policies and programmes, especially poverty eradication measures, including those for the benefit of victims of racial discrimination</p>	<p>Recognizing that poverty shapes economic and social status and establishes obstacles to the effective political participation of women and men in different ways and to different extents, urges States to undertake gender analyses of all economic and social policies and programmes, especially poverty eradication measures, including those designed and implemented to benefit those individuals or groups of individuals who are victims of racism, racial discrimination, xenophobia and related intolerance</p>	<p>Please see our response to item 50 above. Also, the Women’s Commission’s gender mainstreaming checklist is intended for the analysis of all Government policy initiatives and programmes, including those relating to poverty. Policies and programmes relating to the victims of racial discrimination are no exception.</p>

Subject area	Specific provision(s)	Position
III. Measures of prevention, education and protection aimed at eradication of racism, racial discrimination, xenophobia and related intolerance at the national, regional and international levels		
58. Measures to eradicate racial discrimination and to promote diversity and acceptance	Urges States to adopt and implement, at both the national and international levels, effective measures and policies, in addition to existing anti-discrimination national legislation and relevant international instruments and mechanisms, which encourage all citizens and institutions to take a stand against racism, racial discrimination, xenophobia and related intolerance, and to recognize, respect and maximize the benefits of diversity within and among all nations in working together to build a harmonious and productive future by putting into practice and promoting values and principles such as justice, equality in and non-discrimination, democracy, fairness and friendship, tolerance and respect within and between communities and nations, in particular through public information and education programmes to raise awareness and understanding of the benefits of cultural diversity, including programmes where the public authorities work in partnership with international and non-governmental organizations and other sectors of civil society	The RDO is specifically designed to reinforce protection and to extend the regulatory regime so as to prohibit racial discrimination in the private sector. It has always been our view that public education and promotion of racial harmony, tolerance, and acceptance of diversity are the most important tools in the combat against racial discrimination. This has been the focus of the HKSAR Government's activities in the past – through the work of the Committee on the Promotion of Racial Harmony and the Race Relations Unit – and the efforts will be enhanced by the work of the recently established EM Unit under the EOC.
61. Political and legal systems to reflect multi-cultural diversity	Urges States to work to ensure that their political and legal systems reflect the multicultural diversity within their societies and, where necessary, to improve democratic institutions so that they are more fully participatory and avoid marginalization, exclusion and discrimination against specific sectors of society	All persons in the HKSAR are equal before the law. The methods for selecting the Chief Executive and forming the Legislative Council are prescribed in the Basic Law. Article 26 of the Basic Law stipulates that permanent residents of the HKSAR shall have the right to vote and the right to stand for election in accordance with law. Section 34 of the RDO prohibits racial discrimination in determining the eligibility of a person to

Subject area	Specific provision(s)	Position
		stand for election to a public body and to vote in elections of members of a public body, or in considering whether a person should be appointed as a member of a public body.
62. Racism and racially motivated violence against women and girls	Urges States to take all necessary measures to address specifically, through policies and programmes, racism and racially motivated violence against women and girls and to increase cooperation, policy responses and effective implementation of national legislation and of their obligations under relevant international instruments, and other protective and preventive measures aimed at the elimination of all forms of racially motivated discrimination and violence against women and girls	Our response to items 50 to 53 applies equally to measures against violence, though it must be stressed that racially motivated violence – irrespective of the gender of the victims – is all but unknown in the HKSAR. Section 45 of the RDO makes it unlawful for a person to incite hatred towards, serious contempt for, or severe ridicule of, another person or members of a class of persons on the ground of the race of the person or members of the class of persons, irrespective of their sex. Section 46 further makes serious racial vilification an offence. It is also unlawful for a person to harass another person in the provision of goods, facilities or services on the ground of race under section 39.
A. National level 1. Legislative, judicial, regulatory, administrative and other measures to prevent and protect against racism, racial discrimination, xenophobia and related intolerance		
67. (b) Special attention should be given to protecting domestic workers and trafficked persons from discrimination and violence	Special attention should be given to protecting people engaged in domestic work and trafficked persons from discrimination and violence, as well as to combating prejudice against them	The laws of the HKSAR protect migrant workers (most of whom are women working as domestic helpers) against discrimination. A strictly controlled visa and fixed contract regime applies for employers to import foreign domestic helpers. The latter must enter into the standard employment contract (which specifies major employment terms such as wages, free medical treatment, free passage from and to the home country, etc.) with their prospective employers prior to departing for the HKSAR. They are admitted to the HKSAR legally and should have knowledge about their employment terms before entry into the HKSAR and thus should not be victims of trafficking. Protections against racial discrimination under the RDO apply to everyone in the

Subject area	Specific provision(s)	Position
68. Measures against racial discrimination whether direct or indirect, in all spheres of public life	Urges States to adopt and implement, or strengthen, national legislation and administrative measures that expressly and specifically counter racism and prohibit racial discrimination, xenophobia and related intolerance, whether direct or indirect, in all spheres of public life, in accordance with their obligations under the International Convention on the Elimination of All Forms of Racial Discrimination, ensuring that their reservations are not contrary to the object and purpose of the Convention	<p>HKSAR, irrespective of their race or national origin or their form of employment.</p> <p>The HKBORO prohibits racial discrimination on the part of the HKSAR Government and public authorities. The RDO extends the prohibition against racial discrimination to the private sector, whether such discrimination is direct or indirect, in the areas of employment, education and the provision of goods, facilities or services. It also prohibits racial discrimination in determining the eligibility of a person to stand for election to a public body and to vote in elections of members of a public body, or in considering whether a person should be appointed as a member of a public body. The EOC works towards the elimination of racial discrimination, harassment and vilification, and promotes equality and harmony between persons of different racial groups generally.</p> <p>Our interpretative declaration in respect of Article 6 of the Convention is not contrary to the object and purpose of the Convention. The reservation made by the Central People's Government to Article 22 of the Convention, which also applies to the HKSAR, is also consistent with the purpose of the Convention.</p>
71. Policies and programmes against misconduct by law enforcement personnel	Urges States, including their law enforcement agencies, to design and fully implement effective policies and programmes to prevent, detect and ensure accountability for misconduct by police officers and other law enforcement personnel which is motivated by racism, racial discrimination, xenophobia and related intolerance, and to prosecute perpetrators of such misconduct	<p>The law enforcement agencies in the HKSAR such as the Police, the Correctional Services Department (CSD) and the Customs and Excise Department (C&ED), have implemented effective policies to prevent, detect and ensure accountability for misconduct motivated by racism, racial discrimination, xenophobia and related intolerance.</p> <p>C&ED's policies and guidelines are not premised on considerations of race, culture, gender, language or religion. Violation by C&ED officers may result in disciplinary action.</p>

Subject area	Specific provision(s)	Position
		<p>The Police has a mechanism for handling complaints against police officers. Should a complaint involve an allegation of race discrimination, the Police can, according to the wishes of the complainant, refer the details of the report and his/her personal particulars to the EOC for appropriate action. Should an allegation involve a criminal offence, the Police will investigate the report.</p> <p>It has been the HKSAR Government's policy to ensure that police officers carry out their duties professionally. In particular, the Independent Police Complaints Council Ordinance (Cap. 604), which came into effect in 2009, provides a statutory basis for a two-tier police complaint handling system to ensure that complaints on police misconduct are handled by an independent and fair mechanism. As the first-tier of the system, the Complaints Against Police Office is responsible for receiving and investigating complaints. Its operation is independent from other Police formations to ensure its impartiality and fairness. The second tier is the statutory Independent Police Complaints Council which observes, monitors and reviews the Complaints Against Police Office's handling and investigation of complaints. All members of the Independent Police Complaints Council are non-officials directly appointed by the Chief Executive from a wide spectrum of the society.</p> <p>The CSD has a Complaints Investigation Unit in place to handle and investigate complaints in relation to the department's work including allegations of racial discrimination. All investigation reports are scrutinised by the CSD Complaints Committee. Persons in custody may also lodge complaints with any CSD senior officer or duty officer, or through other channels such as the visiting Justices of the Peace, The Ombudsman and</p>

Subject area	Specific provision(s)	Position
		Legislative Councillors.
74. A racially diverse Police Force	<p>Urges States and invites non-governmental organizations and the private sector:</p> <p>(a) To create and implement policies that promote a high-quality and diverse police force free from racism, racial discrimination, xenophobia and related intolerance, and recruit actively all groups, including minorities, into public employment, including the police force and other agencies within the criminal justice system (such as prosecutors)</p>	<p>It has been the policy of the Police to recruit appropriate officers based on their core competencies and commitment to the community, and their racial background will not affect their chance of appointment. In practice, ethnic minorities have been engaged as Police Community Liaison Assistants to enhance liaison with ethnic communities.</p>
Ratification of and effective implementation of relevant international and regional legal instruments on human rights and non-discrimination		
78. Ratification of various international instruments	<p>Urges those States that have not yet done so to consider signing and ratifying or acceding to the following instruments:</p> <p>International Labour Organization Indigenous and Tribal Peoples Convention, 1989 (No. 169) and the Convention on Biological Diversity of 1992</p>	<p>The Convention on Biological Diversity of 1992 applies to Hong Kong since 2011. The International Labour Organization (ILO) Indigenous and Tribal Peoples Convention, 1989 (No. 169) does not apply to Hong Kong.</p>
79. Declaration on the Elimination of All Forms of Intolerance and of Discrimination based on religion or belief (j)	<p>Calls upon States to promote and protect the exercise of the rights set out in the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, proclaimed by the General Assembly in its resolution 36/55 of 25 November 1981, in order to obviate religious discrimination which, when combined with certain other forms of discrimination, constitutes a form of multiple discrimination</p>	<p>Article 32 of the Basic Law guarantees freedom of conscience and religious belief, as well as freedom to preach and to conduct and participate in religious activities in public. These freedoms are also protected under Article 15 of the BOR. Thus, the rights set out in the Declaration are fully protected in Hong Kong law. The provisions of the Basic Law and the BOR have been widely publicised and both documents are widely available, free of charge, both in hard copy and on the Internet.</p>

Subject area	Specific provision(s)	Position
83. ILO Declaration on Fundamental Principles and Rights at Work	Urges States to make every effort to apply fully the relevant provisions of the International Labour Organization Declaration on Fundamental Principles and Rights at Work of 1998, in order to combat racism, racial discrimination, xenophobia and related intolerance	The ILO Declaration promotes, among others, the elimination of discrimination in respect of employment and occupation. As indicated in the response to item 29 above, we have enacted the HKBORO and the RDO which covers, among others, discrimination in the employment field.
Prosecution of perpetrators of racist acts		
89. Investigation of all unlawful acts of racism and racial discrimination	Urges States to carry out comprehensive, exhaustive, timely and impartial investigations of all unlawful acts of racism and racial discrimination, to prosecute criminal offences ex officio, as appropriate, or initiate or facilitate all appropriate actions arising from offences of a racist or xenophobic nature, to ensure that criminal and civil investigations and prosecutions of offences of a racist or xenophobic nature are given high priority and are actively and consistently undertaken, and to ensure the right to equal treatment before the tribunals and all other organs administering justice. In this regard, the World Conference underlines the importance of fostering awareness and providing training to the various agents in the criminal justice system to ensure fair and impartial application of the law. In this respect, it recommends that anti-discrimination monitoring services be established	As indicated in response to several of the items above, the BOR prohibits acts of racial discrimination (and so forth) on the part of the HKSAR Government and public authorities. The BOR gives effect in domestic law to the provisions of ICCPR as applied to Hong Kong. The RDO extends the prohibition against racial discrimination to the private sector in the areas of employment, education and the provision of goods, facilities or services. Racial vilification, which involves public incitement of hatred towards, serious contempt for, or severe ridicule of, another person on the ground of the person's race, is unlawful under section 45 of the RDO, while serious vilification on the ground of race is an offence under section 46. Acts of racially motivated violence and other racially motivated crimes would be investigated and – where necessary – prosecuted under the appropriate statutes, such as the Crimes Ordinance (Cap. 200) and the Offences against the Person Ordinance (Cap. 212). As indicated above, racially motivated violence is essentially non-existent in the HKSAR but all forms of violence – whatever the underlying motivation – are serious offences and are dealt with accordingly. The HKSAR is a peaceful and law-abiding society.

Subject area	Specific provision(s)	Position
Establishment and reinforcement of independent specialised national institutions and mediation		
90. Human rights institutions	Urges States, as appropriate, to establish, strengthen, review and reinforce the effectiveness of independent national human rights institutions, particularly on issues of racism, racial discrimination, xenophobia and related intolerance, in conformity with the Principles relating to the status of national institutions for the promotion and protection of human rights, annexed to General Assembly resolution 48/134 of 20 December 1993, and to provide them with adequate financial resources, competence and capacity for investigation, research, education and public awareness activities to combat these phenomena	The EOC is an independent statutory body responsible for the implementation of the four existing anti-discrimination ordinances in the HKSAR, including the RDO. Its functions and powers include the elimination of racial discrimination, harassment and vilification. It has powers to conduct a formal investigation and to issue a notice requiring a person not to commit an unlawful discriminatory act. It may apply to the District Court for an injunction to deal with persistent racial discrimination, harassment or vilification. It provides assistance to aggrieved persons whether by way of conciliation or otherwise, including giving advice and arranging for the giving of advice or assistance by lawyers. It may issue codes of practice and undertake research and educational activities. We have no plans or timetable for setting up a separate human rights institution.
2. Policies and practices Data collection and disaggregation, research and study		
Action-oriented policies and action plans, including affirmative action to ensure non-discrimination, in particular as regards access to social services, employment, housing, education, health care, etc.		
102. Residential integration	Urges States to promote residential integration of all members of the society at the planning stage of urban development schemes and other human settlements, as well as while renewing neglected areas of public housing, so as to counter social exclusion and marginalization	As in most developed jurisdictions, the HKSAR's residential provision comprises public and private sectors, both of which include existing stock of various ages and stock that is in the planning stage. Private sector purchases and rentals are determined almost exclusively by market forces. It is unlawful for a person to discriminate against another person on the ground of his race in selling, renting, letting or managing his premises under section 28 of the RDO. PRH in the HKSAR is intended for those who cannot afford

Subject area	Specific provision(s)	Position
		private rental accommodation. Irrespective of their race or national origin, all residents who are permitted to stay in the HKSAR without being subject to any conditions of stay and who meet the eligibility criteria including the income and asset are eligible to apply for PRH. Thus, the ethnic composition of PRH estates broadly reflects the composition of the population as a whole, mainly being ethnic (Han) Chinese and the remainder comprising persons of various origins. The location of PRH units allocated is primarily determined by the applicants' choice of district and availability of housing resources, again irrespective of their race or national origins.
Role of Politicians and political parties		
115. Role of politicians and political parties	Underlines the key role that politicians and political parties can play in combating racism, racial discrimination, xenophobia and related intolerance and encourages political parties to take concrete steps to promote equality, solidarity and non-discrimination in society, inter alia by developing voluntary codes of conduct which include internal disciplinary measures for violations thereof, so their members refrain from public statements and actions that encourage or incite racism, racial discrimination, xenophobia and related intolerance	The HKSAR's political parties are independent of the HKSAR Government. Without exception, they should uphold the individual's right against discrimination and support measures taken to promote integration and social harmony. It is unlawful under section 36 of the RDO for a club (including an association of not less than 30 persons associated together for political purposes) or a member of its management committee to discriminate against a person on the ground of his race by refusing to admit him as a member or in the terms on which the club is prepared to admit him as a member, or to discriminate against a member on the ground of his race by denying him access to any benefits, services or facilities provided by the club, by depriving him of membership or by subjecting him to any other detriment.
3. Education and awareness-raising measures Human rights education		
126. Cultural and	Encourages all States, in cooperation with the United	Educational programmes for these purposes have two discrete

Subject area	Specific provision(s)	Position
<p>educational programmes aimed at countering racism, racial discrimination, xenophobia and related intolerance</p>	<p>Nations, the United Nations Educational, Scientific and Cultural Organization and other relevant international organizations, to initiate and develop cultural and educational programmes aimed at countering racism, racial discrimination, xenophobia and related intolerance, in order to ensure respect for the dignity and worth of all human beings and enhance mutual understanding among all cultures and civilizations. It further urges States to support and implement public information campaigns and specific training programmes in the field of human rights, where appropriate formulated in local languages, to combat racism, racial discrimination, xenophobia and related intolerance and promote respect for the values of diversity, pluralism, tolerance, mutual respect, cultural sensitivity, integration and inclusiveness. Such programmes and campaigns should be addressed to all sectors of society, in particular children and young people</p>	<p>targets, namely the schools and the general public.</p> <p>(a) at schools: the position remains the same as in the previous report with the following updates.</p> <p>(2) Liberal Studies at New Senior Secondary Level: Hong Kong Today module:</p> <ul style="list-style-type: none"> • In what ways does the rule of law protect rights ... among Hong Kong residents, such as minority rights? <p>Globalisation module:</p> <ul style="list-style-type: none"> • Does globalisation promote homogeneity or diversity in culture and values? Does it bring mutual rejection or integration and evolution? <p>(b) public education: Our campaigns for the promotion of racial harmony are conducted in the two official languages: Chinese and English, the latter being widely understood and spoken by members of the minority communities. The EOC has accorded a high priority to promoting cultural inclusion through a diversity of publicity and educational programmes. The EOC may also undertake or assist (financially or otherwise) the undertaking by other persons of any educational activities which are necessary or expedient for the performance of its functions.</p>
<p>127. Content of anti-discrimination education</p>	<p>Urges States to intensify their efforts in the field of education, including human rights education, in order to promote an understanding and awareness of the causes, consequences and evils of racism, racial discrimination, xenophobia and related intolerance, and also urges States, in consultation with educational authorities and the private sector, as appropriate, and</p>	<p>The position remains the same as in the previous report with the following update. Related positive ideas are covered in textbooks of related subjects (e.g. General Studies, Life and Society). Under the present textbook review system, the Education Bureau (EDB) will only place quality textbooks on the Recommended Textbook List or the Recommended e-Textbook List for reference of schools.</p>

Subject area	Specific provision(s)	Position
	encourages educational authorities and the private sector, as appropriate, to develop educational materials, including textbooks and dictionaries, aimed at combating those phenomena and, in this context, calls upon States to give importance, if appropriate, to textbook and curriculum review and amendment, so as to eliminate any elements that might promote racism, racial discrimination, xenophobia and related intolerance or reinforce negative stereotypes, and to include material that refutes such stereotypes	Textbooks that failed to meet the above and other criteria in the Guiding Principles for Quality Textbooks will not be placed on the Recommended Textbook List or the Recommended e-Textbook List for selection by schools.
Human rights education for children and youth		
129. Human rights programmes in school curricula	Urges States to introduce and, as applicable, to reinforce anti-discrimination and anti-racism components in human rights programmes in school curricula, to develop and improve relevant educational material, including history and other textbooks, and to ensure that all teachers are effectively trained and adequately motivated to shape attitudes and behavioural patterns, based on the principles of non-discrimination, mutual respect and tolerance	As regards the school curriculum and textbooks, please see our response to items 126 and 127 above. As regards teacher training, diverse teacher training courses are provided (e.g. for General Studies, the EDB organised a professional development programme named “Promoting Inclusive Culture in General Studies” to enhance human rights education in 2014). In order to enhance teachers with the skills and knowledge for promoting human rights education in schools, seminars and field visits on human rights-related themes, such as “anti-discrimination”, “daily life of ethnic minority adolescents”, “freedom”, “traditional Chinese values and modern citizenship”, “human rights and the Basic Law”, “intellectual property” and “freedom of press and the media” etc. were organised.
Human rights education for public officials and professionals		
133. Anti-racist and gender-sensitive	Urges States to develop and strengthen anti-racist and gender-sensitive human rights training for public	For public officials, the HKSAR Government has organised training programmes for Government staff of various grades and

Subject area	Specific provision(s)	Position
<p>human rights training for public officials</p>	<p>officials, including personnel in the administration of justice, particularly in law enforcement, correctional and security services, as well as among health-care, schools and migration authorities</p>	<p>ranks to raise their awareness of gender issues, and facilitate them to take into account women’s perspectives in their work. Training on enhancing gender awareness is organised every year for individual Government departments. Relevant induction training is also provided for newly recruited Government staff. So far, about 9 000 Government staff have attended such training courses.</p> <p>The Prosecution Code issued by the Department of Justice has reminded prosecutors of the rights of an accused which are relevant to the prosecution process, including equality before the law and the right to a fair trial.</p> <p>On the education front, the position remains the same as in the previous report.</p> <p>For the disciplined services, the position remains the same as in the previous report with the following update. The CSD also provides anti-racist and gender-sensitive training for new recruits and serving officers.</p> <p>The Hospital Authority has organised various training courses and seminars for around 6 000 staff members since 2005, which aimed to provide an avenue for the staff to enhance their understanding on the culture of ethnic minorities and to get familiar with the anti-discrimination ordinances. The Hospital Authority has also provided e-learning coursewares on communication with ethnic minorities, knowledge about the culture of ethnic minorities and proper arrangement of hospital interpretation service for its staff members. Information relating to communication with ethnic minorities has also been incorporated into the orientation programme materials for the new staff of the Hospital Authority.</p> <p>The Department of Health’s policy on promoting equal</p>

Subject area	Specific provision(s)	Position
		<p>opportunities in workplace is set out in a standing circular which is circulated to all staff on a yearly basis. The Department organises seminars on equal opportunities in workplace for all newly joined staff on a half-yearly basis to enhance their understanding and awareness of equal opportunities, as well as the requirements of the four anti-discrimination ordinances, and to prevent any possible discrimination incidents. Staff, including the Medical and Health Officers, may also attend the seminars organised by the Civil Service Training and Development Institute about equal opportunities which cover topics like diversity in the workplace and racial equality and cultural sensitivity, etc.</p> <p>For judicial officers, the human rights issue is covered in the professional training and development activities attended by Judges and Judicial Officers from time to time. This includes participation in human rights seminars and conferences organised by the academia and professional bodies both locally and overseas.</p>
136. Education and training, especially teacher training	Calls upon States to ensure that education and training, especially teacher training, promote respect for human rights and the fight against racism, racial discrimination, xenophobia and related intolerance and that educational institutions implement policies and programmes agreed by the relevant authorities on equal opportunities, anti-racism, gender equality, and cultural, religious and other diversity, with the participation of teachers, parents and students, and follow up their implementation. It further urges all educators, including teachers at all levels of education, religious communities and the print and electronic	<p>The position remains the same as in the previous report with the following update.</p> <p>To facilitate schools to promote the education of these core values, the EDB has produced and uploaded related teaching resources onto its website for teachers' easy reference so as to enhance learning and teaching. In 2014-15 school year, a Basic Law video teaching resource package for junior secondary schools was developed by the EDB which aims to enhance students' understanding of the Basic Law.</p>

Subject area	Specific provision(s)	Position
	media, to play an effective role in human rights education, including as a means to combat racism, racial discrimination, xenophobia and related intolerance	
139. Training for law enforcement, immigration and other relevant officials in the prevention of trafficking in persons	Urges States to provide or strengthen training for law enforcement, immigration and other relevant officials in the prevention of trafficking in persons. The training should focus on methods used in preventing such trafficking, prosecuting the traffickers and protecting the rights of victims, including protecting the victims from the traffickers. The training should also take into account the need to consider human rights and child- and gender-sensitive issues and it should encourage cooperation with non-governmental organizations, other relevant organizations and other elements of civil society	<p>Relevant training on the prevention of trafficking of persons has been organised by the disciplined services. For example –</p> <ul style="list-style-type: none"> • C&ED periodically exchanges with other law enforcement departments the latest intelligence and experience in the prevention of human smuggling. Customs officers receive training in operating special equipment such as x-ray scanning system, carbon dioxide detector and optical fiberscope to detect trafficking of persons and contrabands. • ImmD is committed to preventing and detecting immigration-related crimes. All immigration staff are trained to facilitate the visit of genuine travellers and, at the same time, to exercise immigration control measures to prevent and detect immigration-related crimes including trafficking in persons. Apart from in-service training, immigration staff are also arranged to attend relevant overseas conferences and workshops. • Relevant training programmes have been designed to prevent and detect crimes relating to trafficking in persons among both newly recruited and serving police officers.
4. Information, communication and the media, including new technologies		
144. States and the private sector to promote the development of a voluntary ethical code of conduct and	Urges States and encourages the private sector to promote the development by the media, including the print and electronic media, including the Internet and advertising, taking into account their independence, through their relevant associations and organizations	The EOC promulgated its Code of Practice on Employment under the RDO on 10 July 2009. The Code gives practical guidance on how to prevent discrimination, harassment and other unlawful acts on the ground of race. The Code is intended to encourage employers, employees and other concerned parties to promote

Subject area	Specific provision(s)	Position
self-regulatory measures	<p>at the national, regional and international levels, of a voluntary ethical code of conduct and self-regulatory measures, and of policies and practices aimed at:</p> <ul style="list-style-type: none"> (a) Combating racism, racial discrimination, xenophobia and related intolerance; (b) Promoting the fair, balanced and equitable representation of the diversity of their societies, as well as ensuring that this diversity is reflected among their staff; (c) Combating the proliferation of ideas of racial superiority, justification of racial hatred and discrimination in any form; (d) Promoting respect, tolerance and understanding among all individuals, peoples, nations and civilizations, for example through assistance in public awareness-raising campaigns; and (e) Avoiding stereotyping in all its forms, and particularly the promotion of false images of migrants, including migrant workers, and refugees, in order to prevent the spread of xenophobic sentiments among the public and to encourage the objective and balanced portrayal of people, events and history 	<p>racial equality and harmony in the workplace by adopting good practice, and to help them understand their respective rights and responsibilities under the RDO.</p> <p>Under section 5.2 of the Code, employers of the private sector are encouraged to draw up an equal opportunities policy which includes explicit reference to racial equality; such a policy will be a voluntary ethical code of conduct, which forms the framework for action in promoting racial equality and putting it into practice. A “sample policy on racial equality” is also annexed to the Code for employers’ easy reference.</p> <p>Relevant training and talks have been provided regularly to both the public and private sectors; 290 course sessions have been implemented to educate students and teachers, civil servants, staff from small and medium enterprises, members of professional bodies, etc., and the number of participants totalled 16 700.</p> <p>The Code, available in eight languages, has been distributed widely to stakeholders and ethnic minority communities. Besides, a number of publications and guides have been developed and published in multiple languages to explain the application of the RDO in different sectors. Some major ones include “A Guide for Foreign Helpers and Their Employers”, “What You Should Know as a Real Estate Agent, Landlord, Tenant, or Home Buyer” (a guide to addressing discrimination in real estate leasing and sales), “Racial Equality and School Uniform” (a guide for schools to develop and implement uniform rules that are racially and culturally inclusive).</p>

Subject area	Specific provision(s)	Position
145. Legal sanctions and application of relevant human rights instruments to racism on the Internet	Urges States to implement legal sanctions, in accordance with relevant international human rights law, in respect of incitement to racial hatred through new information and communications technologies, including the Internet, and further urges them to apply all relevant human rights instruments to which they are parties, in particular the International Convention on the Elimination of All Forms of Racial Discrimination, to racism on the Internet	Section 45 of the RDO prohibits the incitement of racial hatred in any form of communication to the public including speaking, writing, printing, displaying notices, broadcasting, screening and playing of tapes or other recorded material. The provision applies equally to communication on the Internet.
146. Media to avoid stereotyping	Urges States to encourage the media to avoid stereotyping based on racism, racial discrimination, xenophobia and related intolerance	Racial vilification, which involves public incitement of hatred towards, serious contempt for, or severe ridicule of another person on the ground of the person's race is unlawful under section 45 of the RDO. The EOC will continue to promote the message of anti-racial discrimination to all sectors, including the media.
147. Self-regulation by the media and Internet service providers	Calls upon States to consider the following, taking fully into account existing international and regional standards on freedom of expression, while taking all necessary measures to guarantee the right to freedom of opinion and expression: (a) Encouraging Internet service providers to establish and disseminate specific voluntary codes of conduct and self-regulatory measures against the dissemination of racist messages and those that result in racial discrimination, xenophobia or any form of intolerance and discrimination; to that end, Internet providers are encouraged to set up mediating bodies at national and international levels, involving relevant civil society institutions;	As explained in our response to item 146 above, the RDO outlaws racial vilification which involves public incitement of hatred towards, serious contempt for, or severe ridicule of another person on the ground of the person's race, including through the Internet. It also prohibits serious vilification which involves the threatening of physical harm towards another person or property or premises of that other person. The HKSAR Government, and in particular the EOC, will continue to promote the message of anti-racial discrimination to all sectors.

Subject area	Specific provision(s)	Position
	<p>(b) Adopting and applying, to the extent possible, appropriate legislation for prosecuting those responsible for incitement to racial hatred or violence through the new information and communications technologies, including the Internet;</p> <p>(c) Addressing the problem of dissemination of racist material through the new information and communications technologies, including the Internet, inter alia by imparting training to law enforcement authorities;</p> <p>(d) Denouncing and actively discouraging the transmission of racist and xenophobic messages through all communications media, including new information and communications technologies, such as the Internet;</p> <p>(e) Considering a prompt and coordinated international response to the rapidly evolving phenomenon of the dissemination of hate speech and racist material through the new information and communications technologies, including the Internet; and in this context strengthening international cooperation;</p> <p>(f) Encouraging access and use by all people of the Internet as an international and equal forum, aware that there are disparities in use of and access to the Internet;</p> <p>(g) Examining ways in which the positive contribution made by the new information and communications technologies, such as the</p>	

Subject area	Specific provision(s)	Position
	<p>Internet, can be enhanced through replication of good practices in combating racism, racial discrimination, xenophobia and related intolerance; and</p> <p>(h) Encouraging the reflection of the diversity of societies among the personnel of media organizations and the new information and communications technologies, such as the Internet, by promoting adequate representation of different segments within societies at all levels of their organizational structure</p>	
<p>IV. Position of effective remedies, resources, redress and other measures at the national, regional and international levels</p> <p>Legal Assistance</p>		
160. Justice for victims	<p>Urges States to take all necessary measures to address, as a matter of urgency, the pressing requirement for justice for the victims of racism, racial discrimination, xenophobia and related intolerance and to ensure that victims have full access to information, support, effective protection and national, administrative and judicial remedies, including the right to seek just and adequate reparation or satisfaction for damage, as well as legal assistance, where required</p>	<p>Article 35 of the Basic Law provides that Hong Kong residents shall have the right to confidential legal advice, access to the courts, choice of lawyers for timely protection of their lawful rights and interests or for representation in the courts, and to judicial remedies. It also guarantees that Hong Kong residents shall have the right to institute legal proceedings in the courts against the acts of the executive authorities and their personnel. Article 10 of the BOR provides that all persons shall be equal before the courts and tribunals and have the right to a fair hearing by a competent, independent and impartial tribunal established by law.</p> <p>Please see paragraphs 6.1 to 6.9 of the Report for details.</p>
162. Victimization of complainants and witnesses	<p>Urges States to ensure the protection against victimization of complainants and witnesses of acts of racism, racial discrimination, xenophobia and related intolerance, and to consider measures such as, where</p>	<p>Section 6 of the RDO prohibits discrimination by way of victimisation of complainants or witnesses. The RDO is enforced by the EOC which would provide assistance including legal assistance to the complainant in appropriate cases.</p>

Subject area	Specific provision(s)	Position
	appropriate, making legal assistance, including legal aid, available to complainants seeking a legal remedy and, if possible, affording the possibility for non-governmental organizations to support complainants of racism, with their consent, in legal procedures	
National legislation and programmes		
163. Prohibition of racial discrimination national legislative framework	The Conference recommends to all States that their national legislative framework should expressly and specifically prohibit racial discrimination and provide effective judicial and other remedies or redress	Article 25 of the Basic Law provides that all Hong Kong residents shall be equal before the law. Article 39 of the Basic Law provides that the provisions of the ICCPR as applied to Hong Kong shall remain in force and shall be implemented through the laws of the HKSAR. Those provisions have been implemented by the HKBORO. Article 22 of the BOR provides that all persons are equal before the law and are entitled without any discrimination to the equal protection of the law. The courts may grant such remedy or relief in respect of a violation of the BOR as appropriate.
164. Remedies in domestic law	Urges States, with regard to the procedural remedies provided for in their domestic law, to bear in mind the following considerations: (b) Existing procedural remedies should be made known in the context of the relevant action, and victims of racial discrimination should be helped to avail themselves of them in accordance with the particular case;	The EOC ensures that the public is well informed of the remedies available under the RDO. A person may lodge a complaint with the EOC if he/she encounters discrimination on the ground of race in specified areas, including employment, education, the provision of goods, facilities or services and the disposal or management of premises, or other forms of unlawful acts specified under the RDO.

Subject area	Specific provision(s)	Position
	<p>(c) Inquiries into complaints of racial discrimination and the adjudication of such complaints must be carried out as rapidly as possible;</p> <p>(e) Steps should be taken towards the enactment of legislation to prohibit discriminatory practices on grounds of race, colour, descent, or national or ethnic origin, and to provide for the application of appropriate penalties against offenders and remedies, including adequate compensation, for the victims;</p>	<p>Under the RDO, the EOC has a statutory duty to investigate all allegations of unlawful acts of racial discrimination, harassment and vilification and to use its best endeavours to settle the complaints by conciliation. The EOC may decide not to conduct, or to discontinue, an investigation into a complaint if the EOC is satisfied that the act complained of is not unlawful by virtue of a provision of the RDO, a period of more than 12 months has elapsed beginning when the act was done, or the complaint is lacking in substance. If settlement cannot be reached by way of conciliation, other forms of assistance, including legal assistance, may be available from the EOC to a complainant who applies for it.</p> <p>The complainants, in addition or as an alternative to lodging a complaint with the EOC, may institute civil proceedings in the District Court within 24 months beginning when the act complained of was done and be heard in like manner as any other claim in tort. The District Court can award a range of remedies, including damages for injury to feelings and loss of income.</p> <p>Please see our response to item 160 above.</p>

Subject area	Specific provision(s)	Position
	<p>(g) New and innovative methods and procedures of conflict resolution, mediation and conciliation between parties involved in conflicts or disputes based on racism, racial discrimination, xenophobia and related intolerance should be explored and, where possible, established;</p> <p>(h) The development of restorative justice policies and programmes for the benefit of victims of relevant forms of discrimination is desirable and should be seriously considered</p>	<p>Section 78 of the RDO provides that a person may lodge a complaint with the EOC, and the EOC shall conduct an investigation into the complaint and try to reach a settlement of the matter by way of conciliation.</p> <p>Generally, the EOC will act as the conciliator, who will assist both parties to examine the issues that led to the complaint, identify points of agreement and negotiate a settlement to the dispute. The settlement agreement is equivalent to a contract and is legally binding. The terms of settlement depends on the nature of the dispute. It could be in the form of reappointment to the job, promotion, transfer, letter of apology, enactment of equal opportunities polices or financial settlement.</p> <p>The EOC receives and seeks to conciliate complaints about racial discrimination. As demonstrated by experience, the EOC's approach to the handling of complaints is primarily conciliatory, though it is empowered to take legal action should conciliation fail.</p>
Remedies, reparations, compensation		
165. Effective and adequate remedies: just and adequate reparation and satisfaction	Urges States to reinforce protection against racism, racial discrimination, xenophobia and related intolerance by ensuring that all persons have access to effective and adequate remedies and enjoy the right to seek from competent national tribunals and other national institutions just and adequate reparation and satisfaction for any damage as a result of such discrimination. It further underlines the importance of access to the law and to the courts for complainants of racism and racial discrimination and draws attention to the need for judicial and other remedies to be made widely known, easily accessible, expeditious and not	Please see our response to items 29, 160 and 161.

Subject area	Specific provision(s)	Position
	unduly complicated	
166. Right of victims to just and adequate reparation and redress	Urges States to adopt the necessary measures, as provided by national law, to ensure the right of victims to seek just and adequate reparation and satisfaction to redress acts of racism, racial discrimination, xenophobia and related intolerance, and to design effective measures to prevent the repetition of such acts	Please see our response to items 160 and 161.
V. Strategies to achieve full and effective equality, including international co-operation and enhancement of the United Nations and other international mechanisms in combating racism, racial discrimination, xenophobia and related intolerance and follow-up		
171. Developing harmonious multiracial and multicultural societies	Urges States to recognize the challenges that people of different socially constructed races, colours, descent, national or ethnic origins, religions and languages experience in seeking to live together and to develop harmonious multiracial and multicultural societies; also urges States to recognize that the positive examples of relatively successful multiracial and multicultural societies, such as some of those in the Caribbean region, need to be examined and analysed, and that techniques, mechanisms, policies and programmes for reconciling conflicts based on factors related to race, colour, descent, language, religion, or national or ethnic origin and for developing harmonious multiracial and multicultural societies need to be systematically considered and developed, and therefore requests the United Nations and its relevant specialized agencies to consider establishing an international centre for multiracial and multicultural studies and policy development to	We are committed to promoting racial harmony. We have established the Committee on the Promotion of Racial Harmony and the Ethnic Minorities Forum to foster communication and co-operative participation. The EOC also works towards the elimination of racial discrimination, harassment and vilification, and promotes equality of opportunity and harmony between persons of different racial groups.

Subject area	Specific provision(s)	Position
	undertake this critical work for the benefit of the international community	
172. Protecting the national, ethnic, cultural, religious, and linguistic identity of minorities	Urges States to protect the national or ethnic, cultural, religious and linguistic identity of minorities within their respective territories and to develop appropriate legislative and other measures to encourage conditions for the promotion of that identity, in order to protect them from any form of racism, racial discrimination, xenophobia and related intolerance. In this context, forms of multiple discrimination should be fully taken into account	Article 23 of the BOR provides that persons belonging to ethnic, religious or linguistic minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language. Through the work of the Race Relations Unit and non-governmental organisations engaged by the Home Affairs Department, we actively encourage the minorities to take pride in their cultural identities and to share them with the community as a whole. This has been effected through a series of cultural and integration programmes. The objectives are to promote cultural diversity and to encourage inter-communal understanding.
Regional/international cooperation		
191. Action plans to be provided to the United Nations High Commissioner for Human Rights	Call upon States to elaborate action plans in consultation with national human rights institutions, other institutions created by law to combat racism, and civil society and to provide the United Nations High Commissioner for Human Rights with such action plans and other relevant materials on the measures undertaken in order to implement provisions of the present Declaration and the Programme of Action	We provide the information in the present report and this checklist.
Indigenous peoples		
207. Measures to reduce income and wealth inequalities	Urges States, in the light of the relationship between racism, racial discrimination, xenophobia and related intolerance and poverty, marginality and social exclusion of peoples and individuals at both the national and international levels, to enhance their	Poverty alleviation tops the agenda of the HKSAR's current-term Government. The HKSAR Government reinstated the Commission on Poverty (CoP) in 2012 to advise it on poverty alleviation work underpinning the HKSAR Government's vision that people capable of working should be self-reliant through

Subject area	Specific provision(s)	Position
	<p>policies and measures to reduce income and wealth inequalities and to take appropriate steps, individually and through international cooperation, to promote and protect economic, social and cultural rights on a non-discriminatory basis</p>	<p>employment while social security and welfare should help those who cannot provide for themselves on the basis that such assistance is reasonable and sustainable. The CoP examines and reviews a wide range of poverty alleviation initiatives targeting different groups in need in the community. Ethnic minorities are one of the target groups that the CoP is focusing on. Since its establishment, the CoP has deliberated on different initiatives to help ethnic minorities to better integrate into the community.</p> <p>We are operating a comprehensive system of social security providing financial assistance to those families in need. Social security schemes are accessible to all Hong Kong residents. Ethnic origin of the applicants is not a criterion in determining eligibility. The social security schemes together with other policy measures have effectively helped improve the living of the poor families in the HKSAR. As reflected in the poverty line analysis (an objective policy tool to examine the poverty situation, assist in policy formulation and assess policy effectiveness), there have been notable reduction in the number of poor population and poverty rate after various policy interventions since 2012. Poor population stood at 0.96 million in 2014, below the threshold of 1 million for two consecutive years. Poverty rate reduced by 5.3 percentage points to 14.3% after the interventions in 2014.</p> <p>The CoP will continue to consider and study appropriate initiatives to assist groups in need. To better understand the need of the poor ethnic minorities in the HKSAR, a thematic study on the poverty situation of ethnic minorities in the HKSAR was commissioned. The CoP will deliberate on relevant policy recommendations on the basis of the findings.</p>

Subject area	Specific provision(s)	Position
208. Negative effects of globalisation	Urges States and international financial and development institutions to mitigate any negative effects of globalization by examining, inter alia, how their policies and practices affect national populations in general and indigenous peoples in particular; by ensuring that their policies and practices contribute to the eradication of racism through the participation of national populations and, in particular, indigenous peoples in development projects; by further democratizing international financial institutions; and by consulting with indigenous peoples on any matter that may affect their physical, spiritual or cultural integrity	In the HKSAR, the “indigenous population” is composed entirely of Han Chinese, which is the same ethnic group as the majority of the local population. We consult widely and carefully assess the impact of all our policies and practices on the stakeholders and our population before implementation.
Civil Society		
210. Co-operation with NGOs/civil society	Calls upon States to strengthen cooperation, develop partnerships and consult regularly with non-governmental organisations and all other sectors of the civil society to harness their experience and expertise, thereby contributing to the development of legislation, policies and other governmental initiatives, as well as involving them more closely in the elaboration and implementation of policies and programmes designed to combat racism, racial discrimination, xenophobia and related intolerance	NGOs and civil society organisations were among the numerous groups consulted in preparation for the RDO. Their views were fully taken into account in the drafting process. We also discuss race-related policy initiatives with them in the meetings of the Ethnic Minorities Forum and the Committee on the Promotion of Racial Harmony. Some are active partners in the promotion and delivery of the programmes designed to deliver our policy aims.
Non-governmental organisations		
The private sector		
215. Transnational corporations	Urges States to take measures, including, where appropriate, legislative measures, to ensure that transnational corporations and other foreign	Pursuant to section 63 of the RDO, the EOC has issued a Code of Practice to give practical guidance on how to prevent racial discrimination and harassment and other unlawful acts, and to

Subject area	Specific provision(s)	Position
	enterprises operating within their national territories conform to precepts and practices of non-racism and non-discrimination, and further encourages the business sector, including transnational corporations and foreign enterprises, to collaborate with trade unions and other relevant sectors of civil society to develop voluntary codes of conduct for all businesses, designed to prevent, address and eradicate racism, racial discrimination, xenophobia and related intolerance	promote racial equality and harmony in the employment field. Failure to observe any provision of the Code of Practice will not of itself render a person liable to any proceedings; but the Court may take into account the provisions of the Code in any proceedings under the RDO. The RDO and the Code apply to all private sector organisations, including transnational corporations. Please see our response to item 144 above.
Youth		
218. Racism in sports	Urges States, in cooperation with intergovernmental organizations, the International Olympic Committee and international and regional sports federations, to intensify the fight against racism in sport by, among other things, educating the youth of the world through sport practised without discrimination of any kind and in the Olympic spirit, which requires human understanding, tolerance, fair play and solidarity	With a view to developing a sport culture in the HKSAR and promoting “Sport-for-All”, the Leisure and Cultural Services Department has organised a wide range of recreation and sports programmes at all levels throughout the community, regardless of their age, gender and race. In 2014-15, the Department organised over 38 300 programmes to entertain over 2 190 000 participants. Among these programmes, over 8 000 were organised for students participation under the School Sports Programme. Besides, the department had also provided subvention to national sports associations to organise over 900 programmes under the Young Athletes Training Scheme to cultivate sporting culture among students and youth, which requires human understanding, tolerance, fair play and solidarity.

Hong Kong
Special Administrative Region of
the People's Republic of China

Common Core Document

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Hong Kong Special Administrative Region Common Core Document

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List of abbreviations

API	Announcement in the public interest
Basic Law	Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China
BOR	Hong Kong Bill of Rights
CAPO	Complaints Against Police Office
CAT	Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CRC	Convention on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities
CSD	Correctional Services Department
DLS	Duty Lawyer Service
EOC	Equal Opportunities Commission
ExCo	Executive Council
GDP	Gross Domestic Product
GNI	Gross National Income
HKBORO	Hong Kong Bill of Rights Ordinance
HKSAR	Hong Kong Special Administrative Region of the People's Republic of China
ICAC	Independent Commission Against Corruption
ICCPR	International Covenant on Civil and Political Rights
ICD	International Statistical Classification of Diseases and Related Health Problems
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights

List of abbreviations

IPCC	Independent Police Complaints Council
LAD	Legal Aid Department
LegCo	Legislative Council
LWB	Labour and Welfare Bureau
NGOs	Non-governmental organisations
NPC	National People's Congress
NPCSC	Standing Committee of the NPC
RGNI	Real Gross National Income
Police	Hong Kong Police Force
WoC	Women's Commission

GENERAL INFORMATION

Demographic, economic, social and cultural characteristics

Relevant demographic indicators and social, economic and cultural indicators in respect of the Hong Kong Special Administrative Region of the People's Republic of China (HKSAR) are at **Annex A**.

2. The population in Hong Kong at mid-2011 was 7.07 million. With the annual population growth ranging from 0.5% to 1.2% in recent years, the population at mid-2015 increased to 7.30 million (provisional figure). The population increase was mainly due to the continuous inflow of holders of Permit for Proceeding to Hong Kong and Macao from the Mainland of China and the natural increase during the period.

3. The majority of the population in Hong Kong are Chinese (94%). The number of ethnic minorities in Hong Kong was 451 183 (about 6% of the population) in 2011, with an increase of 31.8% over 2006. Among all the ethnic minorities in Hong Kong, the number of Indonesians increased markedly from 87 840 in 2006 to 133 377 in 2011, while the proportion of all ethnic minorities increased from 25.7% to 29.6%.

4. In terms of language most commonly used, 93.5% of Chinese aged five and over usually spoke Cantonese at home, followed by other Chinese dialects (other than Cantonese and Putonghua) (4.3%). On the other hand, among ethnic minorities aged five and over, English was the language most commonly spoken at home (44.2%), followed by Cantonese (31.7%).

5. Ageing of the population has continued. While the proportion of people aged under 15 fell from 11.6% in 2011 to 11.3% (provisional figure) in 2015, the proportion of people aged 65 and over rose from 13.3% to 15.4% (provisional figure).

6. Hong Kong is a small and open economy. Hong Kong's per capita Gross Domestic Product (GDP) in 2014 stood at around \$311,500. Its economy has become increasingly service-oriented over the past decades, as manifested by a continued rise in the share of the service sectors in GDP from 90% in 2003 to 93% in 2013.

7. Hong Kong constantly strives to be a knowledge-based and high value-added economy. The HKSAR Government is committed to

maintaining a business-friendly environment and sharpening the competitive edge of the four pillar industries (viz. trading and logistics, financial services, professional and producer services, and tourism). Apart from them, the HKSAR Government has also stepped up efforts in promoting and assisting many emerging industries with great potential (e.g. high value-added maritime services, creative industries and innovation and technology). Alongside these development trends, demand for well-educated and skilled workers is expected to continuously increase.

Constitutional, political and legal structure of the HKSAR

Basic Law of the HKSAR

8. In accordance with the provisions of Article 31 and sub-paragraph 13 of Article 62 of the Constitution of the People's Republic of China, and the relevant decisions of the National People's Congress (NPC) adopted on 4 April 1990, the HKSAR was established on 1 July 1997. The Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China (Basic Law) also came into effect on the same day.

9. The Basic Law is the most important legal document for the HKSAR to exercise a high degree of autonomy. It prescribes the relationship between the Central Authorities and the HKSAR, fundamental rights and duties of the residents, and the social, political, cultural and other systems to be practised in the HKSAR.

10. Among other matters, the Basic Law provides that –

- (a) The HKSAR shall be a local administrative region of the People's Republic of China, which shall enjoy a high degree of autonomy and come directly under the Central People's Government. The Central People's Government shall be responsible for the foreign affairs relating to, and the defence of, the HKSAR;
- (b) the NPC authorises the HKSAR to exercise a high degree of autonomy and enjoy executive, legislative and independent judicial power, including that of final adjudication, in accordance with the provisions of the Basic Law. The power of final adjudication of the HKSAR shall be vested in the Court of Final Appeal established in the Region;

- (c) the executive authorities and legislature of the HKSAR shall be composed of permanent residents of Hong Kong;
- (d) under the principle of “one country, two systems”, the socialist system and policies shall not be practised in the HKSAR and Hong Kong’s previous capitalist system and way of life shall remain unchanged for 50 years;
- (e) the laws previously in force in Hong Kong, that is, the common law, rules of equity, ordinances, subordinate legislation and customary law shall be maintained, except for any that contravenes the Basic Law, and subject to any amendment by the legislature of the HKSAR;
- (f) national laws shall not be applied in the HKSAR except for those listed in Annex III to the Basic Law¹ and that the laws listed therein shall be applied locally by way of promulgation or legislation by the Region. The Standing Committee of the NPC (NPCSC) may add to or delete from the list of laws in Annex III after consulting the Committee for the Basic Law of the HKSAR and the HKSAR Government;
- (g) the HKSAR may conduct relevant external affairs on its own in accordance with the Basic Law using the name “Hong Kong, China”, maintain and develop relations and conclude and implement agreements with foreign states and regions and relevant international organisations in the appropriate fields, including the economic, trade, financial and monetary, shipping, communications, tourism, cultural and sports fields;
- (h) the HKSAR shall remain a free port, a separate customs territory and an international financial centre. The HKSAR Government shall, on its own, formulate monetary and financial policies, safeguard the free operation of financial business and financial markets, and regulate and supervise them in accordance with law. The HKSAR Government safeguards the free flow of capital within, into and out of the

¹ National laws listed in Annex III to the Basic Law are at **Annex B**.

Region. The HKSAR Government issues and manages its own currency;

- (i) the HKSAR Government formulates its own policies on the development of education, science, culture, sports, labour and social welfare, and shall not restrict the freedom of religious belief;
- (j) Hong Kong residents enjoy a wide range of freedoms and rights; and
- (k) the provisions of the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), and international labour conventions as applied to Hong Kong shall remain in force and shall be implemented through the laws of the HKSAR.

The freedoms and rights of Hong Kong residents will be dealt with under the section below on “General framework for the protection and promotion of human rights”.

Political Structure

11. The Chief Executive of the HKSAR is the head of the Region, and is accountable to the Central People’s Government and the HKSAR in accordance with the provisions of the Basic Law. The Executive Council (ExCo) assists him in policy-making. The HKSAR Government formulates and implements policies, introduces bills, implements law and provides services to the community. The Legislative Council (LegCo) is the legislature of the HKSAR. District Councils are consulted on district administration and other affairs. The Judiciary is independent of the executive authorities and the legislature.

Chief Executive

12. The Chief Executive leads the HKSAR Government and decides on Government policies. He is responsible for the implementation of the Basic Law and other laws which, in accordance with the Basic Law, apply in the HKSAR. Moreover, he signs bills and budgets passed by the LegCo. He also nominates and reports to the Central People’s Government for appointment of principal officials. He appoints or removes judges of the courts at all levels and holders of

public office in accordance with legal procedures. The Chief Executive also conducts, on behalf of the HKSAR Government, external affairs and other affairs as authorised by the Central Authorities.

13. The Basic Law provides that the Chief Executive of the HKSAR shall be selected by election or through consultations held locally and be appointed by the Central People's Government. The method for selecting the Chief Executive shall be specified in the light of the actual situation in the HKSAR and in accordance with the principle of gradual and orderly progress. The ultimate aim is the selection of the Chief Executive by universal suffrage upon nomination by a broadly representative nominating committee in accordance with democratic procedures.

Executive Council

14. The ExCo assists the Chief Executive in policy-making. Under Article 56 of the Basic Law, except for the appointment, removal and disciplining of officials and the adoption of measures in emergencies, the Chief Executive shall consult the ExCo before making important policy decisions, introducing bills to the LegCo, making subordinate legislation, or dissolving the LegCo. The Chief Executive in Council also determines appeals, petitions and objections under ordinances that confer a statutory right of appeal. If the Chief Executive does not accept a majority opinion of the ExCo, he shall put the specific reasons on record.

15. The ExCo normally meets once a week. It is presided over by the Chief Executive. As provided for in Article 55 of the Basic Law, members of the ExCo shall be appointed by the Chief Executive from among the principal officials of the executive authorities, members of the LegCo and public figures. Their term of office shall not extend beyond the expiry of the term of office of the Chief Executive who appoints them.

16. The current membership of the ExCo comprises the 16 Principal Officials appointed under the Political Appointment System and 14 non-official members.

The structure of the HKSAR Government

17. The Chief Executive is the head of the HKSAR Government. If the Chief Executive is not able to discharge his duties for a short period,

such duties shall temporarily be assumed by the three Secretaries of Departments, namely the Chief Secretary for Administration, the Financial Secretary, or the Secretary for Justice, in that order of precedence. The HKSAR Government comprises a Department of Administration, a Department of Finance, a Department of Justice, and various bureaux, divisions, and commissions.

18. There are currently 13 bureaux, each headed by a Policy Secretary, which collectively form the Government Secretariat. With certain exceptions, the heads of Government departments are responsible to the Secretaries of Departments and Policy Secretaries. The exceptions are the Commissioner of the Independent Commission Against Corruption, The Ombudsman and the Director of Audit, who function independently and are directly accountable to the Chief Executive.

19. A Political Appointment System has been introduced since 1 July 2002. Under the system, the Chief Secretary for Administration, the Financial Secretary, the Secretary for Justice and the 13 Policy Secretaries of the HKSAR Government are political appointees. They are responsible for specific policy areas and are accountable to the Chief Executive. They are at the same time appointed as Members of the ExCo and, together with other Non-Official Members of the ExCo, assist the Chief Executive in policy making. Under the system, there remains a permanent, professional and politically neutral civil service.

Legislative Council

20. The powers and functions of the LegCo are specified in Article 73 of the Basic Law. These include enacting, amending or repealing laws in accordance with the provisions of the Basic Law and legal procedures; examining and approving budgets introduced by the HKSAR Government; approving taxation and public expenditure; receiving and debating the policy addresses of the Chief Executive; raising questions on the work of the HKSAR Government; debating any issue concerning public interests; endorsing the appointment and removal of the judges of the Court of Final Appeal and the Chief Judge of the High Court; and receiving and handling complaints from Hong Kong residents, etc.

21. Article 68 of the Basic Law provides that the LegCo shall be constituted by election. The method for its formation shall be specified in the light of the actual situation in the HKSAR and in accordance with

the principle of gradual and orderly progress. The ultimate aim is the election of all the members of the LegCo by universal suffrage. Annex II to the Basic Law and the relevant decision of the NPC adopted on 4 April 1990 prescribe the composition of the LegCo during its first three terms as follows –

<u>Membership</u>	<u>First term</u> 1998-2000 (two years)	<u>Second term</u> 2000-2004 (four years)	<u>Third term</u> 2004-2008 (four years)
(a) elected by geographical constituencies through direct elections	20	24	30
(b) elected by functional constituencies	30	30	30
(c) elected by an election committee	10	6	-
Total	60	60	60

22. Annex II to the Basic Law provides that, if there is a need to amend the method for forming the LegCo after 2007, such amendments must be made with the endorsement of a two-thirds majority of all the members of the Council and the consent of the Chief Executive and they shall be reported to the NPCSC for the record. In 2007, the NPCSC adopted a decision that after the Chief Executive is elected by universal suffrage, the election of the LegCo of the HKSAR may be implemented by the method of electing all members by universal suffrage. The motion on the method for forming the fifth term LegCo in 2012 put forth by the HKSAR Government was passed by the LegCo by two-thirds majority in June 2010 and recorded by the NPCSC in August 2010. More than 3.2 million electors could cast two votes in the 2012 LegCo general election, one for a candidate list in a geographical constituency and one for another candidate list in the new District Council (second) functional constituency. This new functional constituency treats Hong Kong as a single constituency and candidates are nominated from elected District Council members. The fifth term LegCo in 2012 consisted of 70 members: 35 returned by functional constituencies, apart from the above-mentioned District Council (second) functional constituency, each of the remaining functional constituencies represents an important economic, social or professional sector of the HKSAR; and 35 by geographical constituencies through direct elections, where Hong Kong was divided into five geographical constituencies, each returning five to nine members.

23. As regards the method for forming the sixth term LegCo in 2016, the NPCSC adopted a decision in August 2014 that the existing formation method for the LegCo as prescribed in Annex II to the Basic Law would not be amended; and the formation method for the fifth term LegCo would continue to apply to the sixth term LegCo in 2016. The local legislation making necessary technical amendments for the 2016 LegCo general election was passed by the LegCo in July 2015.

District Councils

24. Eighteen District Councils have been established in the HKSAR to advise the HKSAR Government on all matters relating to the well-being of residents in the districts and to promote community building through carrying out various community involvement programmes including recreational and cultural projects, and undertaking environmental improvement projects within the districts. For the fifth term District Councils (2016-2019), the HKSAR is divided into 431 constituencies, each returning one elected member. In addition, there are 27 ex-officio members (who are the chairmen of Rural Committees). The fifth-term District Council ordinary election was held on 22 November 2015.

Relevant statistics

25. Relevant statistics on the political system, including the voter registration figures and voter turnout rates, are set out in **Annex C**.

Administration of justice

The judicial system of the HKSAR

26. The legal system is firmly based on the rule of law, right of access to court, quality legal aid services, the independent legal profession and the Judiciary which is independent of the executive authorities and the legislature.

27. Article 19 of the Basic Law provides that the HKSAR shall be vested with independent judicial power, including that of final adjudication. The courts of the HKSAR shall have jurisdiction over all cases in the Region, except that the restrictions on their jurisdiction imposed by the legal system and principles previously in force in Hong Kong shall be maintained. The courts of the HKSAR shall have no jurisdiction over acts of state such as defence and foreign affairs.

28. The courts of the HKSAR comprise the Court of Final Appeal, the High Court (which consists of the Court of Appeal and the Court of First Instance), the District Court, the Magistrates' Courts, the Competition Tribunal, the Lands Tribunal, the Labour Tribunal, the Small Claims Tribunal, the Obscene Articles Tribunal and the Coroner's Court. The courts hear and determine all criminal trials and civil disputes, whether between individuals or between individuals and the HKSAR Government.

29. Article 82 of the Basic Law provides that the power of final adjudication of the HKSAR shall be vested in the Court of Final Appeal of the Region, which may as required invite judges from other common law jurisdictions to sit on the Court of Final Appeal. Article 84 provides that the courts shall adjudicate cases in accordance with applicable laws and may refer to precedents of other common law jurisdictions. Article 85 provides that the courts shall exercise judicial power independently, free from any interference. Members of the judiciary shall be immune from legal action in the performance of their judicial functions.

30. Article 92 of the Basic Law provides that judges and other members of the judiciary of the HKSAR shall be chosen on the basis of their judicial and professional qualities and may be recruited from other common law jurisdictions. Article 88 further provides that judges shall be appointed by the Chief Executive on the recommendation of an independent commission composed of local judges, persons from the legal profession and eminent persons from other sectors.

31. Judges enjoy security of tenure. Article 89 of the Basic Law provides that a judge may only be removed for inability to discharge his or her duties, or for misbehaviour, by the Chief Executive on the recommendation of a tribunal appointed by the Chief Justice of the Court of Final Appeal and consisting of not fewer than three local judges. The Chief Justice of the Court of Final Appeal may be investigated only for inability to discharge his or her duties, or for misbehaviour, by a tribunal appointed by the Chief Executive and consisting of not fewer than five local judges and may be removed by the Chief Executive on the recommendation of the tribunal and in accordance with the procedures prescribed in the Basic Law.

Relevant statistics

32. The relevant statistics on the administration of justice in respect of the HKSAR for the period from 2011 to 2015 (Jan-Jun) are set out below. Statistics relevant to the sentencing of offenders and death in custody are set out in **Annex D**.

(a) Incidence of violent death and life threatening crimes reported

Crime	2011	2012	2013	2014	2015 (Jan-Jun)
Murder and manslaughter	17	27	62 ²	27	11
Attempted murder	4	6	4	0	0

(b) Number of persons arrested for violent or other serious crimes

Crime	2011	2012	2013	2014	2015 (Jan-Jun)
Murder and manslaughter	19	66	55	32	12
Wounding and serious assault	5 289	5 317	4 887	4 148	1 851
Robbery	410	416	302	208	74
Drug trafficking	1 357	1 418	1 639	1 297	721

(c) Number of reported cases of sexually motivated violence

Crime	2011	2012	2013	2014	2015 (Jan-Jun)
Rape	91	121	105	56	41
Indecent assault	1 415	1 495	1 463	1 115	504

(d) Number of Police officers per 100 000 persons

	2011	2012	2013	2014	2015
Police officers	398.6	395.0	394.9	393.7	392.4

(e) Number of judges and judicial officers

	2011	2012	2013	2014	2015
Judges and judicial officers	158	148	157	157	169

² The figure has included the death toll of 39 victims from the Lamma Island ferry collision on 1 October 2012.

(f) Statistics on legal aid in criminal cases

	2011	2012	2013	2014	2015 (Jan-Jun)
(1) No. of legal aid applications	3 888	3 684	3 797	3 717	1 761
(2) No. of applications refused on merits	949	943	889	823	468
(3) No. of applications granted legal aid	2 795	2 521	2 785	2 690	1 183
(4) Applicants granted legal aid with nil contribution out of (3) (as % of (3))	2 547 (91.13%)	2 308 (91.55%)	2 515 (90.31%)	2 485 (92.38%)	1 089 (92.05%)

Non-governmental organisations

33. Article 27 of the Basic Law guarantees that Hong Kong residents shall have freedom of association and the right and freedom to form and join trade unions, and to strike. Article 18 of the Hong Kong Bill of Rights (BOR), which corresponds to Article 22 of the ICCPR, also guarantees the freedom of association. In the HKSAR, all organisations including companies, societies, trade unions and credit unions must be registered under applicable ordinances such as the Companies Ordinance (Cap. 622) and the Societies Ordinance (Cap. 151).

Exemption of tax

34. Subject to certain limitations, charitable institutions or trusts of a public character are exempt from tax under section 88 of the Inland Revenue Ordinance (Cap. 112). Charities wishing to enjoy the tax exemption may apply to the Inland Revenue Department.

35. For an institution or a trust to be a charity, it must be established for purposes which are exclusively charitable according to

law. The law defining the legal attributes of a charity is based upon case law developed through court decisions.

36. A summary of the purposes that may be accepted as charitable, in accordance with case law, are –

- (a) relief of poverty;
- (b) advancement of education;
- (c) advancement of religion; and
- (d) other purposes of a charitable nature beneficial to the community not falling under any of the preceding heads.

37. While the purposes under the first three heads may be in relation to activities carried on in any part of the world, those under head (d) will only be regarded as charitable if they are of benefit to the Hong Kong community.

GENERAL FRAMEWORK FOR THE PROTECTION AND PROMOTION OF HUMAN RIGHTS

Application of international human rights treaties to the HKSAR

38. The list of international human rights treaties that are applicable to the HKSAR and the relevant information is at **Annex E**.

Legal framework for the protection of human rights

Rule of Law

39. The fundamental basis for the protection of human rights is the rule of law maintained by an independent judiciary (see paragraphs 26 to 31 above). The principles that inform the rule of law are:

- (a) **the supremacy of the law**: no individual is punishable or can lawfully be made to suffer personally or financially except for a breach of law established before the independent courts. Where, under the law, an official or an authority has discretion to make a decision, that discretion must be exercised legally, fairly and reasonably. Where it does not do so, the decision may be challenged before the courts; and

- (b) **equality before the law:** Article 25 of the Basic Law provides that all Hong Kong residents shall be equal before the law. Article 64 provides that the HKSAR Government must abide by the law. Article 22 provides that all offices set up in the HKSAR by departments of the Central People's Government, or by provinces, autonomous regions, or municipalities directly under the Central Government and personnel of these offices shall abide by the laws of the Region. Article 14 provides that members of the garrison shall, in addition to abiding by national laws of China, abide by the laws of the HKSAR. Article 35 provides that Hong Kong residents shall have the right to institute legal proceedings in the courts against the acts of the executive authorities and their personnel. No Government authority or official, and no individual, is above the law. In addition, Article 10 of the BOR guarantees that all persons are equal before the courts, and Article 22 of the BOR guarantees that all persons are equal before the law and are entitled without any discrimination to the equal protection of the law.

Human rights guarantees in the Basic Law

40. Article 4 of the Basic Law provides that the HKSAR shall safeguard the rights and freedoms of residents of the HKSAR and of other persons in the Region in accordance with law. Chapter III of the Basic Law guarantees a wide range of freedoms and rights, including:

- (a) equality before the law;
- (b) freedom of speech, of the press and of publication; freedom of association, of assembly, of procession and of demonstration; and the right and freedom to form and join trade unions, and to strike;
- (c) freedom of the person; freedom from torture; freedom from arbitrary or unlawful arrest, detention or imprisonment; freedom from arbitrary or unlawful search of the body; and right against arbitrary or unlawful deprivation of life;
- (d) freedom from arbitrary or unlawful search of, or intrusion into, one's home or other premises;

- (e) freedom and privacy of communication;
- (f) freedom of movement within the HKSAR and freedom of emigration to other countries and regions and freedom to travel and to enter or leave the Region;
- (g) freedom of conscience; freedom of religious belief and freedom to preach and to conduct and participate in religious activities in public;
- (h) freedom of choice of occupation;
- (i) freedom to engage in academic research, literary and artistic creation, and other cultural activities;
- (j) right to confidential legal advice, access to the courts, choice of lawyers for timely protection of their lawful rights and interests or for representation in the courts, and to judicial remedies; right to institute legal proceedings in the courts against the acts of the executive authorities and their personnel;
- (k) right to social welfare in accordance with law; and
- (l) freedom of marriage and right to raise a family freely.

41. Persons in the HKSAR other than Hong Kong residents shall, in accordance with law, enjoy the rights and freedoms of Hong Kong residents prescribed by Chapter III of the Basic Law. In addition, the HKSAR protects the right of private ownership of property in accordance with law. Educational institutions of all kinds enjoy autonomy and academic freedom. Permanent residents of the HKSAR enjoy the rights to vote and to stand for election in accordance with law.

Effect of other human rights instruments in HKSAR law

42. According to Article 39 of the Basic Law:

“The provisions of the [ICCPR], the [ICESCR] and international labour conventions as applied to Hong Kong shall remain in force and shall be implemented through the laws of the [HKSAR].

The rights and freedoms enjoyed by Hong Kong residents shall not be restricted unless as prescribed by law. Such restrictions shall not contravene the provisions of the preceding paragraph of this Article.”

43. As in other common law jurisdictions, treaties that apply to Hong Kong (including human rights treaties) do not themselves have the force of law in the domestic legal system of Hong Kong. They cannot directly be invoked before the courts as the source of individual rights. However, the courts will, when possible, construe domestic legislation in such a way as to avoid incompatibility with international treaties that apply to Hong Kong. The usual method of giving effect in local law to treaty obligations (when these require some change in existing laws or practice) is to enact specific new legislation³. Where this results in the creation or definition of specific legal rights and where these rights are denied or interfered with (or there is the threat of such action), a remedy will be available in the courts through the ordinary procedures of civil litigation; or the law may provide criminal sanctions.

Hong Kong Bill of Rights Ordinance

44. The Hong Kong Bill of Rights Ordinance (Cap. 383) (HKBORO) was enacted in June 1991 specifically to give effect in local law to the provisions of the ICCPR as applied to Hong Kong. It achieves this by setting out a detailed BOR, the terms of which are almost identical to those of the ICCPR.

Legal aid

45. Eligible applicants receive legal aid through the provision of the services of a solicitor and, if necessary, a barrister in court proceedings to ensure that any person who has reasonable grounds for pursuing or defending a legal action is not prevented from doing so by lack of means. Publicly funded legal aid services are provided through the Legal Aid Department (LAD) and the Duty Lawyer Service (DLS).

³ An example is the Crimes (Torture) Ordinance (Cap. 427) which was enacted to give effect in Hong Kong to Articles 4 and 5 of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT).

Legal Aid Department

46. The LAD provides legal representation to eligible persons in both civil and criminal cases heard in the Court of Final Appeal, the Court of Appeal, the Court of First Instance, the District Court and the Magistrates' Courts (for committal proceedings). Civil legal aid is available for proceedings covering major areas of livelihood of the community ranging from family disputes to immigration matters and to coroner's inquests. The grant of legal aid is not subject to a residence requirement. Applicants must satisfy the Director of Legal Aid of their financial eligibility (the means test) and of the justification for legal action (the merits test). In civil cases, the Director has discretion to waive the upper limits of the means test in meritorious applications where a breach of the HKBORO or the ICCPR as applied to Hong Kong is an issue. In criminal cases, the Director has the same discretion if he considers it in the interest of justice to do so. Subject to the means test (unless waived by a judge), it is mandatory to grant legal aid to an applicant charged with murder, treason or piracy with violence. For other criminal offences, provided the applicant passes the means test, a judge may grant legal aid notwithstanding that legal aid has been refused on merits by the Director.

The Duty Lawyer Service

47. The DLS complements the legal aid services provided by the LAD. It operates three schemes that respectively provide legal representation (the Duty Lawyer Scheme), legal advice (the Free Legal Advice Scheme) and legal information (the Tel-Law Scheme). The Duty Lawyer Scheme offers legal representation to defendants (both juvenile and adult) charged in the Magistracies who cannot afford private representation. It also provides legal representation to persons who are at risk of criminal prosecution as a result of giving incriminating evidence in Coroner's inquests. Applicants are subject to a means test and merits test, based on the "interests of justice" principle in accordance with Article 11(2)(d) of the BOR. The Free Legal Advice Scheme and the Tel-Law Scheme respectively provide members of the public with free legal advice through individual appointments and taped information on the legal aspects of everyday problems. In addition, the DLS started operating the Convention Against Torture Scheme in December 2009 on a pilot basis. This Scheme has been extended to become the Publicly-funded Legal Assistance Scheme for Non-refoulement Claimants when the Unified Screening Mechanism for the determination

of claims for non-refoulement protection commenced operation in March 2014.

Legal Aid Services Council

48. The Legal Aid Services Council is an independent statutory body established in 1996. Its role is to oversee the administration of the legal aid services provided by the LAD, which is accountable to the Council for the provision of such services. The Council also advises the Chief Executive on legal aid policy.

Office of The Ombudsman

49. The Ombudsman is an independent authority established under The Ombudsman Ordinance (Cap. 397). The Ombudsman investigates and reports on grievances arising from maladministration. “Maladministration” includes such things as inefficient, bad or improper administration, unreasonable conduct (such as delay, discourtesy and lack of consideration), abuse of power or authority and unjust or discriminatory procedures. Members of the public can complain directly to The Ombudsman, who can also initiate investigations on her own volition and may publish investigation reports of public interest. Additionally, The Ombudsman is empowered to investigate complaints of non-compliance with the Code on Access to Information.

50. Since December 2001, the Office of The Ombudsman has become an independent corporation sole with full autonomy and statutory powers to conduct its own administrative and financial business. The Ordinance also specifies that The Ombudsman is not a servant or agent of the HKSAR Government.

51. Subject to The Ombudsman Ordinance, The Ombudsman may obtain any information and documents from such persons as she thinks fit. She may summon any person to provide information relating to her investigations and may enter any premises of the organisations under her jurisdiction to conduct investigations. She also has sufficient means with which to ensure that her recommendations are heard and acted upon.

52. After investigating a complaint, The Ombudsman is empowered to report her opinion and reasons, together with a statement of any remedy and recommendation that is considered necessary, to the head of the organisation affected. If the recommendation is not acted

upon within a reasonable timeframe, The Ombudsman may report the matter to the Chief Executive. She may also do so if she believes that there has been a serious irregularity or injustice done. Such reports are required by law to be laid before the LegCo.

53. The Ombudsman has jurisdiction over nearly all Government departments of the HKSAR and major statutory bodies. The Hong Kong Police Force (Police) and the Independent Commission Against Corruption (ICAC) are not subject to The Ombudsman's investigation, except for cases of non-compliance with the Code on Access to Information. Complaints against these departments are handled by discrete, dedicated bodies (see paragraphs 57 and 58 below).

Equal Opportunities Commission

54. The Equal Opportunities Commission (EOC) was established under the Sex Discrimination Ordinance (Cap. 480) in 1996. The Commission is responsible for conducting formal investigations, handling complaints, encouraging conciliation between parties in dispute, providing assistance to aggrieved persons in accordance with the four anti-discrimination ordinances. It undertakes research programmes and public education to promote equal opportunities in the community. The Commission is also empowered to issue codes of practice to provide practical guidelines to facilitate public compliance with the anti-discrimination ordinances.

55. Please refer to the section on "Information on non-discrimination and equality" below for further details in relation to the anti-discrimination ordinances and the work of the EOC.

Privacy Commissioner for Personal Data

56. The Personal Data (Privacy) Ordinance (Cap. 486) regulates the collection, holding, processing and use of personal data in both the public and private sectors. Its provisions are based on internationally accepted data protection principles, and apply to personal data in any form the access to or the processing of which is practicable. The Ordinance establishes an office by the name of the Privacy Commissioner for Personal Data, an independent statutory body, to promote, monitor and supervise compliance with the provisions of the Ordinance. The duties of the Commissioner include, among others, carrying out promotional or educational activities, issuing codes of practice to provide guidance on compliance with the Ordinance, and conducting

investigations and inspections for matters in relation to personal data privacy of individuals.

Complaints and investigations

The Police

57. Under the existing two-tier police complaints handling system, the Complaints Against Police Office (CAPO) is responsible for handling and investigating complaints lodged by members of the public against members of the Police. The CAPO operates independently from other Police formations to ensure its impartiality in handling complaints. The Independent Police Complaints Council (IPCC) is an independent statutory body specifically appointed to monitor and review the CAPO's handling and investigation of complaints. Members of the IPCC appointed by the Chief Executive are drawn from a wide spectrum of the community. The Independent Police Complaints Council Ordinance (Cap. 604) came into force on 1 June 2009 and provides the above police complaints system with a statutory basis. It clearly sets out the statutory IPCC's role, functions and powers in the police complaints handling system, as well as the obligations of the Police to comply with the requirements made by the IPCC under the Ordinance. There are effective checks and balances to ensure that the complaints lodged with the CAPO are handled thoroughly, fairly and impartially.

The Independent Commission Against Corruption

58. Established in 1977, the ICAC Complaints Committee is responsible for monitoring and reviewing the ICAC's handling of non-criminal complaints against the ICAC and its officers. Being an independent committee appointed by the Chief Executive, the ICAC Complaints Committee comprises Executive and Legislative Councillors, a representative of The Ombudsman and eminent members of the community. Complaints against the ICAC or its officers can be made direct to the ICAC Complaints Committee as well as the ICAC at any of its offices. The investigation of such complaints is handled by a special unit of the Operations Department of the ICAC. When the unit has completed its investigation of a complaint, its conclusions and recommendations are submitted to the ICAC Complaints Committee for consideration.

Other disciplined services

59. Other disciplined services departments maintain clear guidelines and procedures for handling complaints. For example, the Correctional Services Department (CSD), which runs HKSAR's prisons, has a Complaints Investigation Unit to manage its grievance redress system for staff, prisoners, and members of the public. These persons may also direct their complaints to the Chief Executive, members of the LegCo, The Ombudsman, visiting Justices of the Peace and other law enforcement agencies such as the ICAC and the Police. The existing complaint channels are considered effective in view of the number and the nature of complaints handled.

60. The Immigration Department applies complaints procedures set out in the Immigration Service Standing Orders made by the Director of Immigration under the authority of the Immigration Service Ordinance (Cap. 331). Complaints about abuse of authority or maltreatment by service members can be made to the Director of Immigration and are investigated promptly in accordance with the procedures in the Standing Orders. To ensure that all complaints are properly handled, a Complaints Review Working Party examines the results of investigations, conducts reviews and recommends follow-up action whenever necessary. Persons who consider that they have been improperly treated or that their cases have been mismanaged also have access to The Ombudsman. If there is prima facie evidence that a member of the Immigration Service has committed a criminal offence, the Immigration Service will immediately report the matter to the Police for further investigation. Disciplinary procedures against Immigration Service staff are also governed by the Immigration Service Ordinance and the Immigration Service Standing Orders. Under section 8 of the Immigration Service Ordinance, unlawful or unnecessary exercise of authority resulting in loss or injury to any person is a disciplinary offence.

Framework within which human rights are promoted

Promotion of public awareness of the human rights treaties

61. The Constitutional and Mainland Affairs Bureau is responsible for co-ordinating and overseeing the implementation of policies relating to human rights and equal opportunities, including the promotion of public awareness of the rights and obligations stipulated in the human rights treaties applicable to the HKSAR. The Labour and

Welfare Bureau (LWB) is responsible for human rights treaties relating to women and persons with disabilities that are applicable to the HKSAR.

Dissemination of human rights treaties in the HKSAR

62. The HKSAR Government is committed to the promotion of the rights as enshrined in the human rights treaties applicable to the HKSAR. The promotion work is carried out through various channels including media campaigns in the form of television and radio announcement in the public interest (API). For example, a major publicity campaign (including a series of television thematic docudrama and documentary, a package of television and radio APIs, and advertisements on newspapers and public transport facilities) has been launched by the LWB since August 2009 to promote the spirit and values enshrined in the United Nations Convention on the Rights of Persons with Disabilities (CRPD). A series of publicity programmes in the form of roving exhibitions, school educational dramas and district activities have been carried out by the LWB on an on-going basis to promote public awareness on the United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

63. The HKSAR Government also produces bilingual booklets on the text of the human rights treaties (in both Chinese and English, the official languages of the HKSAR). Furthermore, publications such as bilingual booklets, newsletters and leaflets on these treaties, with illustrations of the principal provisions and in language which is easy to understand, are published. These publications aim to enhance the promotion of the treaties to members of the public, including parents and children. The publications are widely distributed to the public, including schools, libraries, district offices and non-governmental organisations (NGOs), and have been uploaded onto the HKSAR Government website.

64. The processes undertaken by the HKSAR Government in consulting the public in preparing reports to the United Nations treaty-monitoring bodies, publication of the report, dissemination of Concluding Observations of the United Nations treaty-monitoring bodies to the public and discussing them with stakeholders concerned also provide opportunities for promoting the human rights treaties to the public. These are elaborated below under the section on “Reporting process”.

Human rights education among public officials and professionals

65. The HKSAR Government provides training and education to Government officials, including legal officers and operational staff of the disciplined services, on the Basic Law and other human rights subjects such as application of human rights treaties in the HKSAR, the HKBORO and equal opportunities.

(a) Government officials in general

66. The Civil Service Bureau and the Civil Service Training and Development Institute organise seminars for Government officers at different ranks. These include seminars on the Basic Law, equal opportunities and other areas of human rights (in collaboration with the Department of Justice, EOC and/or NGOs).

67. Major components of the HKBORO and the anti-discrimination ordinances have also been incorporated into seminars and courses for newly recruited officers of the HKSAR Government. We also organise tailored courses for departments with frequent and extensive contacts with members of the public with a view to enhancing the knowledge of the officers on applying the anti-discrimination ordinances and related code of practice in their daily work.

68. In addition to the above, training is provided to officers of different grades and ranks in the HKSAR Government to raise their gender awareness and understanding of gender-related issues. Such training includes seminars and workshops which cover CEDAW and other instruments that protect women's interests and their application in the HKSAR. The LWB has also developed a web-portal and a web course on gender mainstreaming for reference by all Government officers.

(b) Legal officers

69. The Department of Justice organises training sessions for legal officers of the HKSAR Government. Some of those sessions deal with international human rights law and human rights protection under the Basic Law. Others focus on specific areas according to the special needs of the different divisions of the Department. For example, the Prosecutions Division of the Department provides training for prosecutors on human rights issues that arise in the course of prosecutions, such as the right to be presumed innocent. Legal officers of the Department also

attend a range of seminars, conferences and training programmes on human rights organised by local and overseas academic institutions.

(c) Operational staff of the disciplined services

70. Training of disciplined services invariably includes reference to human rights. The Immigration Department, the Customs and Excise Department and the CSD have incorporated lectures on the relevant human rights treaties (such as the CAT), Basic Law, HKBORO, equal opportunities, and gender-related issues into their regular in-service and training programmes for new recruits. Human rights and equality principles are part of the foundation training for the Police's new recruits and probationary inspectors. The continued training programmes for in-service officers also cover these topics.

71. The ICAC provides training and issues orders to all investigating officers to ensure compliance with statutory requirements concerning the treatment of victims, witnesses and suspects. Officers are trained to treat all suspects and witnesses in accordance with the Basic Law and HKBORO. Apart from the training on relevant legislation touching upon human rights and related issues, the ICAC provides professional training to all investigating officers to ensure the voluntariness of admissions and confessions, and that there is no oppression, violence or threat.

Human rights training for judges, judicial officers and support staff of the Judiciary

72. Since the courts of the HKSAR may refer to precedents of other common law jurisdictions in adjudicating cases, they follow developments in all areas of law – including human rights law – in other common law jurisdictions. The Hong Kong Judicial Institute provides continuing education and training for judges and judicial officers. Human rights law is one of many areas that are emphasised. They participate in visits and human rights seminars both locally and overseas. Talks on anti-discrimination ordinances and seminars on the Personal Data (Privacy) Ordinance are arranged regularly for the support staff of the Judiciary to enhance their understanding and knowledge on these ordinances and to raise their awareness on human rights, equal opportunities and protection of personal data. Staff also attend the training on Basic Law organised by the Civil Service Training and Development Institute.

Promotion of human rights in general

73. The Committee on the Promotion of Civic Education is an advisory body under the Home Affairs Bureau to promote civic education outside schools and to enhance general public's civic awareness, including human rights education. Separately, a Basic Law Promotion Steering Committee, chaired by the Chief Secretary for Administration, was established in January 1998 to guide promotional strategy.

74. The EOC, an independent statutory body to enforce the anti-discrimination ordinances, has the important function of promoting equal opportunities with a view to eliminating discrimination on the grounds of sex, disability, family status and race. The EOC also works towards the elimination of discrimination on the grounds of marital status and pregnancy. Please refer to the section on "Information on non-discrimination and equality" below on the work of the EOC. The Privacy Commissioner for Personal Data also carries out promotional and educational activities in relation to data protection.

75. The HKSAR Government also promotes the rights under the human rights treaties applicable to the HKSAR through other measures, such as sponsoring and co-operating with NGOs to promote awareness and public education through funding schemes and other initiatives.

Promotion of human rights in schools

76. Education in schools is an important aspect in the promotion of children's rights and human rights in general. Human rights education is an integral part of the school curriculum and is addressed in a wide range of subjects at different key stages of learning. Students are provided with ample opportunities to develop concepts and values in relation to human rights in the existing school curriculum. Important concepts and values on human rights, such as the right to life, fundamental freedoms (e.g. freedom of speech and religion), privacy, respect for all peoples (e.g. different nationalities and their cultures, and ways of life), equality and non-discrimination (e.g. gender equality and racial equality) are discussed through the learning and teaching of various subjects in primary and secondary schools. Students' concepts and understanding of human rights are strengthened progressively from a basic understanding of the rights and responsibilities to more complex concepts of human rights. In addition, the Education Bureau has clear and explicit guidelines for textbook publishers to adhere to the principle of non-discrimination. Under the present textbook review system, the

Bureau will only place quality textbooks on the Recommended Textbook/e-Textbook List for reference of schools. According to the “Guiding Principles for Quality Textbooks”, a quality textbook should be one in which:

- (a) there is not any bias in content, such as over-generalisation and stereotyping; and
- (b) the content and illustrations do not carry any form of discrimination on the grounds of gender, age, race, religion, culture and disability etc., nor do they suggest exclusion.

Textbooks that failed to meet the above and other criteria in the Guiding Principles for Quality Textbooks will not be placed on the Recommended Textbook or e-Textbook List for selection by schools.

77. Basic Law education, civic education, human rights education and education against discrimination are included in the curriculum and are addressed in a wide range of subjects at different key stages of learning such as General Studies at primary level, curricula under the Personal, Social and Humanities Education at secondary level, and the core subject of Liberal Studies implemented in the senior secondary curriculum. To support schools in promoting the concepts and values pertaining to these curriculum areas, professional development programmes and resources support are provided to empower teachers’ professional capability to implement these curricula. Relevant learning activities (including Mainland exchange programmes, project learning, museum visits, service learning, etc.) to enhance students’ understanding and application of the Basic Law in daily lives are provided to deepen students’ understanding of the concepts and values relating to civic education, human rights education and education against discrimination.

78. The development of the Hong Kong school curriculum has advanced into a new phase of ongoing curriculum renewal. One of the key emphases is “promoting values education” which includes the priority values and attitudes of respect for others, responsibility, commitment, care for others, etc. In parallel, Basic Law education will be strengthened so as to reinforce the cultivation of values and attitudes among students, including human rights, equality, freedom, caring, responsibility, etc.

Participation of NGOs in promotion of human rights

79. A number of NGOs are dedicated to the promotion of human rights in the HKSAR. Some focus on the rights of a group of people such as ethnic minorities, children, persons with disabilities, or women. Others have a wider scope, embracing all, or most of, the issues addressed in the human rights treaties.

80. The HKSAR Government has increasingly engaged or collaborated with NGOs in matters relevant to the promotion of human rights. This includes seeking their views during the preparation of reports in respect of the HKSAR under the human rights treaties and in considering follow-up actions on the Concluding Observations, seeking their views on issues of policy and other matters concerning human rights, as well as co-operation on public promotion and provision of support services.

81. To strengthen the liaison with NGOs, a number of forums have been established to provide platforms for exchanging views with NGOs on various issues concerning human rights. These include:

(a) *Human Rights Forum*

82. The Forum first met in October 2003. It provides a platform for NGOs to have regular meetings with the HKSAR Government for discussions on various human rights issues, including the implementation of various human rights treaties as well as other issues of concern.

(b) *Children's Rights Forum*

83. The Children's Rights Forum aims to provide a platform for exchanging views on matters concerning children's rights among the HKSAR Government, children's representatives, NGOs focusing on children's rights and other human rights NGOs.

(c) *Ethnic Minorities Forum*

84. The Forum provides a channel of communication between the HKSAR Government and Hong Kong's ethnic minority communities and organisations dedicated to serving them. It helps to identify the concerns and needs of the ethnic communities and discuss possible ways of addressing them.

85. The agenda and notes of the meetings of the above forums are publicly available on the HKSAR Government website.

Reporting process

86. The Central People's Government submits reports in respect of the HKSAR under various human rights treaties applicable to the HKSAR. Under the established practice, the HKSAR Government would consult the public in the drafting of each report. The HKSAR Government would set out in an outline the broad subject headings and individual topics that it envisages to cover in the report. The outline would be widely distributed to stakeholders, including the LegCo and members of relevant forums, and to the general public through various means such as the HKSAR Government's website. Discussions with members of the relevant forums and NGOs would be arranged. The public are also invited to suggest additional topics that ought to be included in the report. The outline would also be discussed at the LegCo, and usually representatives of interested NGOs would be invited by the LegCo to present their views.

87. Comments and suggestions raised by commentators would be considered. Respective responses of the HKSAR Government would be incorporated in the relevant sections of the reports as appropriate.

88. The HKSAR section of the report will be made available, in both English and Chinese, to stakeholders, including the LegCo and interested NGOs, and will be distributed to the public at the Public Enquiry Service Centres of the Home Affairs Department, public libraries and the HKSAR Government website, after the report has been submitted to and made public by the United Nations.

Follow-up to Concluding Observations of human rights treaty bodies

89. In accordance with the established practice, following the issue of the Concluding Observations by the human rights treaty bodies, we would widely disseminate the Concluding Observations among all levels of society, including the LegCo, the relevant Government bureaux and departments, and other interested parties. At the same time, we would also issue a press release to the media on the Concluding Observations and the preliminary response of the HKSAR Government. The Concluding Observations would also be made available to the public through the HKSAR Government website. We would discuss the

Concluding Observations and the HKSAR Government's initial response with the LegCo and relevant forums.

Information on non-discrimination and equality

90. The general legal framework to guarantee non-discrimination and equality before the law, as well as the relevant institutional framework, have been described above in respect of the framework on the protection of human rights.

Equal Opportunities Commission

91. As outlined above, the EOC is responsible for the implementation of four anti-discrimination ordinances in the HKSAR and promotion of equal opportunities in the respective areas. These ordinances are outlined below.

Anti-discrimination ordinances

92. The Sex Discrimination Ordinance and the Disability Discrimination Ordinance came into full operation in December 1996. Under the SDO, it is unlawful to sexually harass a person or to discriminate against a person on the ground of sex, marital status or pregnancy in the specified areas of activities. The law applies to both males and females. Under the Disability Discrimination Ordinance, it is unlawful to vilify a person with a disability in public, harass a person with a disability, or discriminate against a person on the ground of disability in the specified areas of activities.

93. The Family Status Discrimination Ordinance came into force in November 1997. Under this Ordinance, it is unlawful to discriminate against a person on the ground of family status. Family status means the status of having a responsibility for the care of an immediate family member. Immediate family member, in relation to a person, means someone who is related to the person concerned by blood, marriage, adoption or affinity.

94. The Race Discrimination Ordinance came into full operation in July 2009. Race in relation to a person means the race, colour, descent or national or ethnic origin of the person. It is unlawful under the Ordinance to vilify a person on the ground of race in public, or discriminate against or harass a person on the ground of race, in specified areas of activities.

95. The areas of activities covered by the four above-mentioned ordinances are broadly the same, including employment, education, provision of goods, facilities or services, disposal or management of premises, eligibility to vote for and to stand for election of public bodies, and participation in clubs.

Investigation and Conciliation

96. The EOC investigates complaints lodged under the four ordinances and encourages conciliation between the parties in dispute. Where conciliation fails, a complainant may apply to the EOC for other forms of assistance including legal assistance. The EOC also conducts formal investigation into discriminatory practices where appropriate.

Education and Promotion

97. The EOC is committed to promoting the concept of equal opportunities through education and promotion. The EOC builds partnerships with the HKSAR Government and NGOs in working towards the elimination of discrimination. Public education and publicity programmes to raise awareness and promote better understanding of equal opportunities concepts include organising talks, seminars and workshops for different target groups, publishing half-yearly journal and printing promotional leaflets, organising roadshows and exhibitions, putting together activity programmes and arranging drama performances for students and producing TV and radio announcements and programmes. Other than traditional media, the EOC also leverages on new media, such as mobile applications and social media for its promotion. In order to encourage community participation, the Community Participation Funding Programme on Equal Opportunities is in place to assist community groups to organise their own activities to promote equal opportunities. The EOC also seeks to achieve its vision through partnership projects with all sectors in the community. Calendar and tailor-made training programmes are conducted to raise awareness of discrimination and harassment within organisations and Government departments, as well as to equip them with the skills to deal with the situation should such problems arise.

Research

98. The EOC commissions various research studies and baseline surveys to examine why discrimination takes place, the overall attitudes

and perceptions of equal opportunities within the community. The research studies will help the EOC to develop its strategy, monitor the attitude change and provide benchmarks for future studies.

Review of relevant legislation and issuing codes of practice and guidelines

99. The EOC keeps under review the anti-discrimination ordinances and submits proposals for amendments to the HKSAR Government as it thinks fit. It also issues codes of practice under the ordinances and other guidelines. The Codes of Practice on Employment are issued to assist employers and employees in understanding their responsibilities under the ordinances and to provide practical guidelines to management on procedures and practices that can help prevent discrimination and other unlawful acts in the workplace.

100. Copies of the codes of practice under the four ordinances as well as a series of other publications explaining the provisions of the ordinances are available at the EOC office and its website. The EOC website also provides up-to-date information on equal opportunities issues in the HKSAR and international developments and trends.

Promotion of non-discrimination and equality

Women

101. Since the extension of the CEDAW to Hong Kong in October 1996, we have been striving to adhere to the principles of CEDAW and promote public awareness of the Convention.

102. The HKSAR Government set up the Women's Commission (WoC) in 2001 as a high-level central mechanism to advise and assist the HKSAR Government on women's issues and to champion women's interests. The WoC is tasked to take a strategic overview on women issues, develop a long-term vision and strategy for the development and advancement of women, and to advise the HKSAR Government on policies and initiatives which are of concern to women.

103. To achieve its mission of enabling women in the HKSAR to fully realise their due status, rights and opportunities in all aspects of life, the WoC has adopted a three-pronged strategy, namely the provision of an enabling environment, empowerment of women through capacity building and public education, and promoting the interest and well-being

of women. Apart from offering advice to the HKSAR Government on women-related policies and initiatives, the WoC also commissions researches and surveys, organises publicity and public education programmes and maintains close liaison with women's groups and different sectors of the community with a view to promoting interests of women in the HKSAR.

Ethnic minorities

104. In respect of the promotion of racial equality, besides legislation, we believe that public education and support services are also important for better integration of ethnic minorities into the community. We have, over the years, launched various initiatives to promote racial harmony and to assist integration of the ethnic minorities in the HKSAR.

105. The Committee on the Promotion of Racial Harmony was established in 2002 to advise the HKSAR Government on public education and publicity in this area. The Race Relations Unit, established also in 2002 by the HKSAR Government, serves as the secretariat to the Committee on the Promotion of Racial Harmony and liaises with the ethnic minority communities.

106. Various bureaux/departments of the HKSAR Government and public bodies have been providing public services to meet the needs of ethnic minorities according to their respective policy purview and service area, e.g. education, employment, housing and social welfare. The Home Affairs Department operates a number of programmes to facilitate the integration of ethnic minorities into community, either by organising activities or through sponsoring the work of NGOs. Such programmes include language programmes, integration activities, radio programmes in the languages of the ethnic minorities, and community teams to provide support services to the ethnic minority groups. Since 2009, we have provided funding to NGOs for establishing and operating a total of six support service centres for ethnic minorities and two sub-centres in the HKSAR. They provide Chinese and English language training, orientation programmes, counselling and referral services, interest classes, and other support services to ethnic minorities. One of the centres also provides telephone and on-site interpretation services to facilitate ethnic minorities' access to public services.

107. In 2010, the HKSAR Government also issued Administrative Guidelines to provide general guidance to concerned Government bureaux and departments and relevant public authorities to

promote racial equality and ensure equal access by ethnic minorities to public services in key areas concerned, and to take this into account in their formulation, implementation and review of relevant policies and measures. In 2010, the scope of application of the Guidelines covered 14 Government bureaux and departments and public authorities, and it was extended to cover 23 in 2015. The HKSAR Government will keep the scope and coverage of the Guidelines under review.

Children's rights

108. In the HKSAR, matters concerning children cover a wide range of policies. They are taken care of by the respective policy bureaux of the HKSAR Government. The best interests of the child are necessary considerations in all relevant decision-making, including legislative proposals and policies, and are taken into account as a matter of course. Advice would be sought from HKSAR Government experts on human rights and international law where necessary to ensure compliance.

109. Certain child-related policies and measures may involve more than one bureau or department. Mechanisms are in place within the HKSAR Government for co-ordinating and handling policies that involve different bureaux and departments. Mechanisms within the HKSAR Government continue to serve the need of co-ordinating policies and measures among Government bureaux and departments, ensuring that adequate consideration is given to the interests of children.

110. In 2006, the HKSAR Government established the Children's Rights Education Funding Scheme, which provides financial support for community organisations to carry out educational projects to raise public awareness and understanding of the Convention on the Rights of the Child (CRC) and the children's rights enshrined in it. The Scheme accepts open application for funding on an annual basis. Since its establishment in 2006, the Scheme has supported around 270 projects implemented by NGOs, to enhance different stakeholders' understanding of children's rights as provided under the CRC. On publicity and public education, an API to promote respect of children's rights as enshrined in the CRC was launched in 2013. In addition, the HKSAR Government has collaborated with the Radio Television Hong Kong to produce three television programmes in 2013, 2014 and 2015 respectively to promote children's rights, with a view to enhancing the public's understanding of children's rights.

People of different sexual orientation and transgender persons

111. We have been promoting equal opportunities for people of different sexual orientation and transgender persons through various publicity and educational measures. These includes, among others, implementing the Equal Opportunities (Sexual Orientation) Funding Scheme which provides funding support to worthwhile community projects that promote equal opportunities on grounds of sexual orientation or gender identity, or provide support services for the sexual minorities; promulgating the Code of Practice against Discrimination in Employment on the Ground of Sexual Orientation; maintaining a hotline for enquiries and complaints on issues relating to sexual orientation and gender identity; and producing and broadcasting API on television and radio, and launching advertising campaigns on different media to promote the message of equal opportunities for sexual minorities.

112. In June 2013, the HKSAR Government established the Advisory Group on Eliminating Discrimination against Sexual Minorities to provide advice on matters relating to concerns about discrimination faced by sexual minorities in the HKSAR, notably the aspects and extent of discrimination faced by sexual minorities in the HKSAR, and the strategies and measures to tackle the problems identified with a view to eliminating such discrimination and nurturing a culture of diversity, tolerance and mutual respect in the community. The Advisory Group submitted its report to the HKSAR Government in December 2015.

Persons with disabilities

113. The CRPD entered into force for China and applied to the HKSAR on 31 August 2008. States Parties to the CRPD undertake to adopt all appropriate legislative, administrative and other measures for the implementation of the rights of persons with disabilities recognised in the Convention. With the existing Disability Discrimination Ordinance affording protection against discrimination on the ground of disability, and the Mental Health Ordinance (Cap. 136) safeguarding the rights of mental patients, the HKSAR has been well positioned to meet the objectives of this Convention.

114. Measures have been taken to ensure that all bureaux and departments are fully aware of the need to take due account of the CRPD's provisions in formulating policies and implementing programmes. The HKSAR Government works with the Rehabilitation Advisory Committee (the principal advisory body to the HKSAR

Government on matters pertaining to the well-being of persons with disabilities and the development and implementation of rehabilitation policies and services in the HKSAR), the rehabilitation sector and the community at large to ensure compliance with the Convention, to provide support to promote participation by persons with disabilities in society, and to facilitate the enjoyment of their rights under this Convention. The HKSAR Government has also been actively promoting the spirit and core values of this Convention to the community.

Demographic indicators and social, economic and cultural indicators

A. Demographic Indicators

(a) : Population size

Mid-year	Population size
2011	7 071 600
2012	7 154 600
2013	7 187 500
2014	7 241 700
2015 [#]	7 298 600

Note: # Provisional figure

(b) : Population growth rate

Mid-year	Population growth rate
2011	0.7%
2012	1.2%
2013	0.5%
2014	0.8%
2015 [#]	0.8%

Note: # Provisional figure

(c) : Population Density⁽¹⁾ by Area

	Persons per sq. km				
	2010	2011	2012	2013	2014
Hong Kong Island	16 140	15 920	16 020	15 990	15 870
Kowloon	44 260	44 920	45 730	46 010	46 760
New Territories and Islands	3 830	3 870	3 910	3 930	3 960
Total	6 500	6 540	6 620	6 650	6 690

Note : Figures refer to end-June of the year.

⁽¹⁾ Excluding marine population and area of reservoirs.

(d) : Population aged 5 and over by usual language and ethnicity, 2011

Ethnicity	Usual language/dialects								Total
	Cantonese	English	Putonghua	Other Chinese dialects	Filipino	Indonesian	Japanese	Others	
Chinese	5 957 039	45 859	89 956	272 442	482	2 381	1 286	3 751	6 373 196
Filipino	5 369	110 414	226	28	15 848	-	-	274	132 159
Indonesian	93 774	19 778	3 458	165	6	15 437	-	599	133 217
Indian	1 213	9 875	-	-	2	81	-	15 364	26 535
Nepalese	344	808	-	-	-	-	-	14 121	15 273
Japanese	463	2 048	123	-	-	-	9 190	50	11 874
Thai	8 083	786	27	169	9	-	-	2 001	11 075
Pakistani	873	1 485	7	-	-	-	-	13 409	15 774
Korean	335	935	63	-	-	-	108	3 462	4 903
Other Asian	1 685	2 988	186	38	31	8	-	1 824	6 760
White	7 620	37 119	202	466	-	32	77	5 678	51 194
Others	18 415	6 193	151	437	82	179	309	707	26 473
Total	6 095 213	238 288	94 399	273 745	16 460	18 118	10 970	61 240	6 808 433

Note: The figures exclude mute persons.

(e) : Population by ethnicity, sex and age group, 2011

Ethnicity/Sex		Age group						Total	
		< 15	15 - 24	25 - 34	35 - 44	45 - 54	55 - 64		65+
Chinese	Male	403 751	429 344	437 009	454 148	592 476	451 111	432 289	3 200 128
	Female	375 489	411 122	480 828	560 316	642 353	451 044	499 113	3 420 265
	Total	779 240	840 466	917 837	1 014 464	1 234 829	902 155	931 402	6 620 393
Filipino	Male	1 643	738	1 267	2 002	1 473	558	209	7 890
	Female	1 275	3 278	44 573	46 553	23 770	5 210	469	125 128
	Total	2 918	4 016	45 840	48 555	25 243	5 768	678	133 018
Indonesian	Male	133	69	295	205	71	47	115	935
	Female	169	12 336	85 469	31 641	2 184	436	207	132 442
	Total	302	12 405	85 764	31 846	2 255	483	322	133 377
Indian	Male	2 862	1 267	3 501	2 866	1 620	1 003	1 032	14 151
	Female	2 905	1 698	3 674	3 014	1 493	753	928	14 465
	Total	5 767	2 965	7 175	5 880	3 113	1 756	1 960	28 616
Nepalese	Male	1 935	1 151	1 767	2 285	1 112	270	236	8 756
	Female	1 627	1 370	2 156	1 565	724	204	116	7 762
	Total	3 562	2 521	3 923	3 850	1 836	474	352	16 518
Japanese	Male	1 092	151	711	1 669	1 832	844	377	6 676
	Female	1 060	226	1 013	2 224	862	400	119	5 904
	Total	2 152	377	1 724	3 893	2 694	1 244	496	12 580
Thai	Male	198	73	257	465	169	5	9	1 176
	Female	200	193	1 283	3 098	3 236	1 651	376	10 037
	Total	398	266	1 540	3 563	3 405	1 656	385	11 213
Pakistani	Male	3 602	1 277	1 693	2 130	507	318	538	10 065
	Female	3 546	853	1 985	938	309	309	37	7 977
	Total	7 148	2 130	3 678	3 068	816	627	575	18 042
Korean	Male	440	150	387	633	381	205	92	2 288
	Female	457	140	571	919	473	258	103	2 921
	Total	897	290	958	1 552	854	463	195	5 209
Other Asian	Male	431	299	418	555	522	274	170	2 669
	Female	409	381	1 208	1 079	658	451	183	4 369
	Total	840	680	1 626	1 634	1 180	725	353	7 038
White	Male	4 743	2 084	5 671	8 311	6 587	3 805	2 346	33 547
	Female	4 552	1 947	3 841	4 886	3 562	2 050	851	21 689
	Total	9 295	4 031	9 512	13 197	10 149	5 855	3 197	55 236
Others	Male	5 418	2 372	2 282	1 871	1 331	616	844	14 734
	Female	5 623	2 715	2 261	1 912	1 725	813	553	15 602
	Total	11 041	5 087	4 543	3 783	3 056	1 429	1 397	30 336
Total	Male	426 248	438 975	455 258	477 140	608 081	459 056	438 257	3 303 015
	Female	397 312	436 259	628 862	658 145	681 349	463 579	503 055	3 768 561
	Total	823 560	875 234	1 084 120	1 135 285	1 289 430	922 635	941 312	7 071 576

(f) : Population by age group and sex, mid-2011 to mid-2015

Age group	Mid-2011			Mid-2012			Mid-2013			Mid-2014			Mid-2015 [#]		
	Male	Female	Both sexes	Male	Female	Both sexes	Male	Female	Both sexes	Male	Female	Both sexes	Male	Female	Both sexes
0 - 4	129 500	119 700	249 200	136 400	126 100	262 500	134 500	125 700	260 200	137 700	128 500	266 200	145 600	135 400	281 000
5 - 9	125 800	117 400	243 200	125 800	118 500	244 300	128 000	120 200	248 200	136 000	126 800	262 800	143 400	132 900	276 300
10-14	170 900	160 200	331 100	158 200	148 200	306 400	149 100	139 600	288 700	141 500	133 900	275 400	135 000	128 800	263 800
15-19	217 300	206 400	423 700	215 000	204 100	419 100	208 000	196 300	404 300	197 700	186 800	384 500	182 500	172 100	354 600
20-24	221 700	229 800	451 500	226 300	231 700	458 000	226 400	230 700	457 100	223 700	227 000	450 700	213 700	218 600	432 300
25-29	229 500	304 600	534 100	225 900	303 200	529 100	221 800	295 800	517 600	224 200	291 700	515 900	225 900	287 500	513 400
30-34	225 800	324 200	550 000	228 400	334 200	562 600	231 900	343 200	575 100	233 000	348 100	581 100	235 000	349 100	584 100
35-39	234 500	328 100	562 600	234 400	332 600	567 000	229 500	331 000	560 500	226 900	333 100	560 000	226 700	338 200	564 900
40-44	242 700	330 000	572 700	241 400	334 900	576 300	239 800	338 700	578 500	239 600	339 900	579 500	240 500	341 600	582 100
45-49	295 300	356 400	651 700	286 400	351 700	638 100	271 000	337 900	608 900	258 300	330 800	589 100	247 300	327 200	574 500
50-54	312 800	324 900	637 700	312 000	329 600	641 600	313 500	341 100	654 600	310 200	348 800	659 000	305 300	353 200	658 500
55-59	253 900	259 200	513 100	267 500	273 200	540 700	281 300	287 900	569 200	291 600	299 300	590 900	302 100	311 000	613 100
60-64	205 100	204 500	409 600	213 600	215 000	428 600	220 000	223 100	443 100	227 700	233 000	460 700	235 900	240 800	476 700
65-69	121 500	112 800	234 300	134 900	129 600	264 500	148 800	146 400	295 200	163 100	163 400	326 500	180 500	182 800	363 300
70-74	116 700	113 700	230 400	112 800	108 300	221 100	109 600	103 700	213 300	109 800	102 000	211 800	110 900	103 500	214 400
75-79	97 000	108 200	205 200	99 100	109 900	209 000	100 600	109 900	210 500	100 100	109 400	209 500	102 000	108 500	210 500
80-84	62 300	83 800	146 100	65 400	85 700	151 100	69 500	88 400	157 900	73 500	91 600	165 100	74 700	93 100	167 800
85+	40 700	84 700	125 400	43 800	90 800	134 600	47 400	97 200	144 600	50 500	102 500	153 000	57 000	110 300	167 300
Total	3 303 000	3 768 600	7 071 600	3 327 300	3 827 300	7 154 600	3 330 700	3 856 800	7 187 500	3 345 100	3 896 600	7 241 700	3 364 000	3 934 600	7 298 600

Note : # Provisional figures

(g) : Dependency ratio

Year	Child dependency ratio ⁽¹⁾	Elderly dependency ratio ⁽²⁾	Overall dependency ratio ⁽³⁾
2011	155	177	333
2012	152	183	335
2013	148	190	339
2014	150	198	348
2015 [#]	153	210	363

Notes:

Provisional figures

⁽¹⁾ The number of persons aged under 15 per 1 000 persons aged between 15 and 64.⁽²⁾ The number of persons aged 65 and over per 1 000 persons aged between 15 and 64.⁽³⁾ The number of persons aged under 15 and aged 65 and over per 1 000 persons aged between 15 and 64.**(h) : Statistics on Births**

	2010	2011	2012	2013	2014
Number of births					
Male	47 366	51 286	48 777	29 806	32 262
Female	41 218	44 165	42 781	27 278	30 043
Total	88 584	95 451	91 558	57 084	62 305
Crude birth rate (per 1 000 population)	12.6	13.5	12.8	7.9	8.6

(i) : Death statistics

Age	2010				2011				2012				2013				2014			
	SEX			TOTAL	SEX			TOTAL	SEX			TOTAL	SEX			TOTAL	SEX			TOTAL
	Male	Female	Unknown		Male	Female	Unknown		Male	Female	Unknown		Male	Female	Unknown		Male	Female	Unknown	
0	88	60	1	149	82	45	0	127	68	68	1	137	65	35	0	100	44	59	0	103
01-04	27	20	0	47	21	24	0	45	16	17	0	33	19	21	0	40	21	22	0	43
05-09	7	4	0	11	9	9	0	18	15	15	0	30	17	13	0	30	11	9	0	20
10-14	24	16	0	40	21	12	0	33	20	11	0	31	17	11	0	28	12	15	0	27
15-19	53	24	0	77	42	25	0	67	48	15	0	63	35	26	0	61	41	21	0	62
20-24	68	52	0	120	79	46	0	125	99	36	0	135	69	37	0	106	62	31	0	93
25-29	119	61	0	180	101	64	0	165	97	51	0	148	96	66	0	162	85	48	0	133
30-34	146	97	0	243	143	82	0	225	142	93	0	235	153	101	0	254	127	102	0	229
35-39	203	147	0	350	230	170	0	400	211	156	0	367	216	137	0	353	207	120	0	327
40-44	322	276	0	598	307	226	0	533	344	268	0	612	285	242	0	527	330	207	0	537
45-49	648	404	0	1 052	626	402	0	1 028	578	408	0	986	551	379	0	930	527	358	0	885
50-54	1 051	592	0	1 643	1 098	610	0	1 708	999	574	0	1 573	961	589	0	1 550	960	573	0	1 533
55-59	1 401	655	0	2 056	1 373	679	0	2 052	1 424	761	0	2 185	1 461	793	0	2 254	1 524	804	0	2 328
60-64	1 677	711	0	2 388	1 767	830	0	2 597	1 822	798	0	2 620	1 841	867	0	2 708	1 890	904	0	2 794
65-69	1 766	757	0	2 523	1 826	668	0	2 494	1 824	802	0	2 626	1 876	850	0	2 726	1 982	940	0	2 922
70-74	2 903	1 281	0	4 184	2 615	1 214	0	3 829	2 595	1 148	0	3 743	2 466	1 087	0	3 553	2 451	1 014	0	3 465
75-79	3 890	2 250	0	6 140	3 775	2 218	0	5 993	3 995	2 177	0	6 172	3 621	2 021	0	5 642	3 575	2 061	0	5 636
80-84	3 974	3 292	0	7 266	4 305	3 195	0	7 500	4 360	3 353	0	7 713	4 265	3 238	0	7 503	4 596	3 364	0	7 960
85+	5 100	8 000	0	13 100	5 270	8 112	0	13 382	5 810	8 679	0	14 489	6 111	8 735	0	14 846	6 488	9 485	0	15 973
Unknown	17	6	4	27	15	5	5	25	13	3	3	19	13	7	4	24	13	3	1	17
TOTAL	23 484	18 705	5	42 194	23 705	18 636	5	42 346	24 480	19 433	4	43 917	24 138	19 255	4	43 397	24 946	20 140	1	45 087

(j) : Life expectancy

	2010	2011	2012	2013	2014
Expectation of life at birth					
Male	80.1	80.3	80.7	81.1	81.2
Female	86.0	86.7	86.4	86.7	86.9

(k) : Fertility rate

	2010	2011	2012	2013	2014
Total Fertility rate (Number of live births per 1 000 women)	1 127	1 204	1 285	1 124	1 234

(l) : Statistics on domestic households

Period	Number of domestic households ('000)	Average domestic household size
2010	2 325.1	2.9
2011	2 359.3	2.9
2012	2 389.0	2.9
2013	2 404.8	2.9
2014	2 431.1	2.9

Notes: Statistics are compiled based on data collected in the General Household Survey from January to December of the year concerned as well as the mid-year population estimates by District Council district compiled jointly by the Census and Statistics Department and an inter-departmental Working Group on Population Distribution Projections of the HKSAR.

Figures presented in the above table are statistics which involve the use of the population figures in the compilation process. They have been revised to take into account the results of the 2011 Population Census which provided a benchmark for revising the population figures compiled since the 2006 Population By-census.

(m) :

Proportion of single-parent households and proportion of domestic households with female household head, 2006

	No. of domestic households	Domestic households with female household head ⁽²⁾	Domestic households with single parent ⁽¹⁾	Proportion of domestic households with female household head ⁽²⁾	Proportion of single-parent ⁽¹⁾ households
Total	2 226 546	975 971	76 290	43.8	3.4

Proportion of single-parent households and proportion of domestic households with female household head, 2011

	No. of domestic households	Domestic households with female household head ⁽³⁾	Domestic households with single parent ⁽¹⁾	Proportion of domestic households with female household head ⁽³⁾	Proportion of single-parent ⁽¹⁾ households
Total	2 368 796	1 078 228	81 589	45.5	3.4

Notes:

- ⁽¹⁾ Single parents are defined as mothers or fathers who are never married, widowed, divorced or separated, and living with child(ren) aged under 18 in the same household in the 2011 Population Census. Figures for 2001 and 2006 have been re-compiled based on the above definition of single parents.
- ⁽²⁾ The figures of the 2006 Population By-census include 975 971 domestic households with female household head. Among them, there were 332 402 domestic households reported to have more than one household head and at least one female head.
- ⁽³⁾ The figures of the 2011 Population Census include 1 078 228 domestic households with female household head. Among them, there were 300 329 domestic households reported to have more than one household head and at least one female head.

B. Social, economic and cultural indicators

(a) : Share of average monthly household expenditure on food, housing, health and education

	1999-2000	2004-05	2009-10
Food (excluding meals bought away from home)	9.8%	9.5%	10.0%
Meals bought away from home	15.9%	16.3%	17.1%
Housing	32.2%	30.6%	32.8%
Health ⁽¹⁾	2.5%	2.5%	2.7%
Education ⁽¹⁾	3.6%	4.1%	4.3%

Note:

⁽¹⁾ Refers to “Health” and “Education” under the Classification of Individual Consumption According to Purpose. “Health” covers expenditure on outpatient and hospital services, proprietary medicines and supplies, and medical and health equipment. “Education” covers school fees (but excluding those for interest and sports courses) and expenditure on other educational services.

(b) : Gini Coefficient (Based on original household income), 2001, 2006 and 2011

Year	Gini Coefficient
2001	0.525
2006	0.533
2011	0.537

(c) : Percentage of Children under 5 years who were Underweight by Sex⁽¹⁾

	6 months - <9 months ⁽²⁾	12 months - <18 months ⁽²⁾	18 months- <24 months ⁽²⁾	48 months – <60 months ⁽³⁾
Number of male children in the sample with weight recorded within the age interval	1 315	1 316	1 278	12 929
Number & percentage of male children being underweight	19 (1.4%)	17 (1.3%)	15 (1.2%)	202 (1.6%)
No of female children in the sample with weight recorded within the age interval	1 184	1 191	1 183	12 057
Number and percentage of female children being underweight	11 (0.9%)	9 (0.8%)	10 (0.8%)	180 (1.5%)

Note:

⁽¹⁾ Underweight was defined as body weight less than the 2 standard deviations below the median weight for age on the World Health Organisation 2006 child growth standard. Data was based on the clinical information of children born in ⁽²⁾ 2012 (body weight in 6 to 24 months) and ⁽³⁾ 2008 (48 to 60 months).

(d) : Number of registered infant deaths and infant mortality rate by sex, 2010-2014

Year	Number of registered infant deaths			Infant mortality rate (Number of registered infant deaths per 1 000 registered live births)		
	Male	Female	Total*	Male	Female	Total*
2010	87	59	147	1.8	1.4	1.7
2011	82	49	131	1.6	1.1	1.4
2012	70	66	137	1.4	1.5	1.5
2013	57	39	96	1.9	1.4	1.7
2014	53	53	106	1.7	1.8	1.7

Note: * Total includes unknown sex.

Number of registered maternal deaths and maternal mortality ratio, 2010-2014

Year	Number of registered maternal deaths	Maternal mortality ratio (Number of registered maternal deaths per 100 000 registered live births)
2010	1	1.1
2011	1	1.0
2012	2	2.2
2013	0	0
2014	2	3.3

(e) : Ratio of Legal Termination of Pregnancy to Known Live Births, 2010-2014

	Year				
	2010	2011	2012	2013	2014
No. of Legal Termination of Pregnancy	11 231	11 864	11 298	10 653	10 359
No. of Known Live Births	88 584	95 451	91 558	57 084	62 305
Ratio	12.7%	12.4%	12.3%	18.7%	16.6%

(f) : Number of reported cases of HIV/AIDS by age group

Year	2010		2011		2012		2013		2014	
	HIV	AIDS	HIV	AIDS	HIV	AIDS	HIV	AIDS	HIV	AIDS
Age group										
0-14	3	1	0	0	1	0	1	1	0	0
15-44	302	44	302	50	383	46	422	45	503	47
45-64	69	24	120	24	105	35	114	30	127	52
65 and above	15	10	15	8	22	5	22	8	19	9
Unknown	0	0	1	0	2	0	0	0	2	0
Total	389	79	438	82	513	86	559	84	651	108

Number of reported cases of HIV/AIDS by sex

Year	2010		2011		2012		2013		2014	
	HIV	AIDS	HIV	AIDS	HIV	AIDS	HIV	AIDS	HIV	AIDS
Sex										
Male	281	65	344	62	399	68	444	70	549	83
Female	108	14	94	20	114	18	115	14	102	25
Total	389	79	438	82	513	86	559	84	651	108

(g) : Notifications of Notifiable Infectious Diseases 2010 – 2014

Disease	Number of Notifications					Notification Rate † (Number of Notifications per 100 000 Population)				
	2010	2011	2012	2013	2014*	2010	2011	2012	2013	2014*
Amoebic dysentery	2	7	7	4	10	0.03	0.10	0.10	0.06	0.14
Bacillary dysentery	78	54	59	66	50	1.11	0.76	0.82	0.92	0.69
Chickenpox	11 595	13 633	8 589	10 926	7 799	165.07	192.79	120.05	152.01	107.70
Chikungunya fever	2	0	0	5	2	0.03	0.00	0.00	0.07	0.03
Cholera	9	2	2	2	1	0.13	0.03	0.03	0.03	0.01
Community-associated methicillin-resistant <i>Staphylococcus aureus</i> infection	495	624	813	988	995	7.05	8.82	11.36	13.75	13.74
Creutzfeldt-Jakob disease	6	5	8	5	8	0.09	0.07	0.11	0.07	0.11
Dengue fever	83	30	53	103	112	1.18	0.42	0.74	1.43	1.55
Enterovirus 71 infection	101	68	59	12	68	1.44	0.96	0.82	0.17	0.94
Food poisoning:										
Outbreaks	316	340	378	316	214	4.50	4.81	5.28	4.40	2.96
Persons affected	(1 056)	(1 284)	(1 529)	(1 176)	(1 035)	(15.03)	(18.16)	(21.37)	(16.36)	(14.29)
<i>Haemophilus influenzae</i> type b infection (invasive)	1	1	1	3	6	0.01	0.01	0.01	0.04	0.08
Hantavirus infection	1	1	0	0	0	0.01	0.01	0.00	0.00	0.00
Japanese encephalitis	0	1	3	6	5	0.00	0.01	0.04	0.08	0.07
Legionnaires' disease	20	17	28	28	41	0.28	0.24	0.39	0.39	0.57
Leprosy	3	6	5	5	9	0.04	0.08	0.07	0.07	0.12
Leptospirosis	7	3	8	2	1	0.10	0.04	0.11	0.03	0.01
Listeriosis	6	13	26	26	22	0.09	0.18	0.36	0.36	0.30
Malaria	34	41	26	20	23	0.48	0.58	0.36	0.28	0.32
Measles	11	12	8	38	50	0.16	0.17	0.11	0.53	0.69
Meningococcal infection (invasive)	2	8	4	3	5	0.03	0.11	0.06	0.04	0.07
Mumps	166	153	150	127	111	2.36	2.16	2.10	1.77	1.53
Novel influenza A infection†	1	0	1	3	9	0.01	0.00	0.01	0.04	0.12
Paratyphoid fever	26	21	23	23	26	0.37	0.30	0.32	0.32	0.36
Psittacosis	1	2	5	2	6	0.01	0.03	0.07	0.03	0.08
Q fever	1	4	1	1	0	0.01	0.06	0.01	0.01	0.00
Rabies	0	0	0	0	1	0.00	0.00	0.00	0.00	0.01
Rubella and congenital rubella syndrome	38	84	47	25	14	0.54	1.19	0.66	0.35	0.19
Scarlet fever	128	1 526	1 500	1 100	1 238	1.82	21.58	20.97	15.30	17.10
Shiga toxin-producing <i>Escherichia coli</i> infection‡	6	3	8	2	2	0.09	0.04	0.11	0.03	0.03
<i>Streptococcus suis</i> infection	10	8	7	8	12	0.14	0.11	0.10	0.11	0.17
Swine Influenza§	2 722	-	-	-	-	38.75	-	-	-	-
Tetanus	0	1	3	0	0	0.00	0.01	0.04	0.00	0.00
Tuberculosis	5 093	4 794	4 858	4 664	4 784	72.51	67.79	67.90	64.89	66.06
Typhoid fever	29	34	25	33	27	0.41	0.48	0.35	0.46	0.37
Typhus and other rickettsial diseases	44	39	44	57	45	0.63	0.55	0.61	0.79	0.62
Viral hepatitis	267	240	243	184	194	3.80	3.39	3.40	2.56	2.68
Whooping cough	5	23	20	20	30	0.07	0.33	0.28	0.28	0.41
Total	21 309	21 798	17 012	18 807	15 920	303.37	308.25	237.78	261.66	219.84

Notes: Number of notified cases refers to notifications of infectious disease cases known to the Department of Health as of 10 June 2015.

No case of acute poliomyelitis, anthrax, botulism, diphtheria, Middle East Respiratory Syndrome, plague, relapsing fever, Severe Acute Respiratory Syndrome, smallpox, viral haemorrhagic fever, West Nile virus infection or yellow fever was reported during the specified years.

Infectious diseases which have been made notifiable during the period include:

<u>Infectious disease</u>	<u>Effective date</u>
Variant Influenza A (H3N2)	17 August 2012
Middle East Respiratory Syndrome	28 September 2012
* Provisional figures.	
† Novel influenza A infection has been listed as a notifiable infectious disease since 21 February 2014, which has replaced Influenza A (H2), Variant influenza A (H3N2), Influenza A (H5), Influenza A (H7) and Influenza A (H9).	
‡ The figures of Shiga toxin-producing <i>Escherichia coli</i> infection represent <i>Escherichia coli</i> O157:H7 infection before 10 June 2011.	
§ Swine Influenza has been removed from the list of statutory notifiable infectious diseases since 8 October 2010.	
Number of persons affected in food poisoning cases are excluded.	
- Not applicable.	

(h) : Persons with chronic diseases by selected type of chronic diseases, sex and age group

Selected type of chronic diseases	Male								Female								Both sexes							
	Age group				Age group				Age group				Age group				Age group							
	0 - 44		45 - 64		65 +		Total		0 - 44		45 - 64		65 +		Total		0 - 44		45 - 64		65 +		Total	
No. of persons	%*	No. of persons	%*	No. of persons	%*	No. of persons	%*	No. of persons	%*	No. of persons	%*	No. of persons	%*	No. of persons	%*	No. of persons	%*	No. of persons	%*	No. of persons	%*	No. of persons	%*	
Hypertension	9 800	0.6	120 100	11.1	203 900	42.9	333 700	10.0	6 900	0.3	120 100	10.1	247 100	45.4	374 100	9.7	16 700	0.4	240 100	10.6	451 000	44.2	707 800	9.9
Diabetes mellitus	4 000	0.2	63 900	5.9	82 600	17.4	150 600	4.5	5 600	0.3	53 400	4.5	105 700	19.4	164 700	4.3	9 600	0.2	117 400	5.2	188 300	18.5	315 300	4.4
Heart diseases	1 800	0.1	24 900	2.3	52 900	11.1	79 600	2.4	§	§	11 500	1.0	50 500	9.3	63 300	1.6	3 200	0.1	36 300	1.6	103 400	10.1	143 000	2.0
Hypercholesterolemia	2 600	0.1	26 200	2.4	31 500	6.6	60 400	1.8	1 900	0.1	25 400	2.1	47 700	8.8	75 100	1.9	4 500	0.1	51 700	2.3	79 200	7.8	135 400	1.9
Cataract	§	§	3 500	0.3	27 400	5.8	30 900	0.9	§	§	6 000	0.5	43 000	7.9	49 400	1.3	§	§	9 500	0.4	70 400	6.9	80 300	1.1
Cancer	2 200	0.1	10 600	1.0	18 500	3.9	31 300	0.9	4 000	0.2	24 800	2.1	14 300	2.6	43 100	1.1	6 200	0.2	35 400	1.6	32 800	3.2	74 400	1.0
Diseases of the respiratory system	8 300	0.5	7 300	0.7	18 200	3.8	33 800	1.0	5 100	0.2	6 600	0.6	15 100	2.8	26 800	0.7	13 400	0.3	13 900	0.6	33 300	3.3	60 600	0.8
Cerebrovascular disease (Stroke)	§	§	6 300	0.6	21 300	4.5	29 000	0.9	§	§	5 600	0.5	24 900	4.6	30 900	0.8	1 800	0.0	11 900	0.5	46 200	4.5	59 900	0.8
Degenerative	§	§	4 700	0.4	12 600	2.6	18 100	0.5	§	§	12 000	1.0	20 600	3.8	33 300	0.9	1 600	0.0	16 700	0.7	33 100	3.2	51 400	0.7
Thyroid disease	§	§	5 100	0.5	2 500	0.5	8 900	0.3	6 100	0.3	13 000	1.1	11 300	2.1	30 400	0.8	7 400	0.2	18 100	0.8	13 900	1.4	39 300	0.5
Gastrointestinal	§	§	5 900	0.5	7 400	1.5	14 300	0.4	§	§	6 600	0.6	7 600	1.4	15 300	0.4	2 100	0.1	12 500	0.6	15 000	1.5	29 600	0.4
Liver diseases	2 800	0.2	14 300	1.3	2 200	0.5	19 300	0.6	§	§	6 800	0.6	2 700	0.5	10 100	0.3	3 500	0.1	21 100	0.9	4 900	0.5	29 400	0.4

Notes: * As a percentage of all persons in the respective sex and age sub-groups.

§ Statistics are not released due to large sampling errors.

0.0 Less than 0.05%

Source: Survey on Persons with Disabilities and Chronic Diseases, 2013. (The survey is conducted on an ad hoc basis and was conducted once only during the last five years.)

**(i) : Number of registered deaths by ten leading causes of death by age group, 2010-2014
(Ranking is according to the number of registered deaths in 2014)**

Rank	Disease group	Age group	Number of registered deaths				
			2010	2011	2012	2013	2014
1	Malignant neoplasms (ICD10: C00-C97)	0-14	16	29	20	23	32
		15-44	480	505	497	487	442
		45-64	3 822	3 981	3 907	3 960	4 061
		65 and above	8 758	8 725	8 912	9 118	9 267
		Total‡	13 076	13 241	13 336	13 589	13 803
2	Pneumonia (ICD10: J12-J18)	0-14	9	7	5	6	9
		15-44	55	60	51	58	49
		45-64	296	319	349	332	371
		65 and above	5 454	5 824	6 555	6 434	7 072
		Total‡	5 814	6 211	6 960	6 830	7 502
3	Diseases of heart (ICD10: I00-I09, I11, I13, I20-I51)	0-14	15	9	9	7	14
		15-44	151	124	129	113	133
		45-64	852	825	852	881	910
		65 and above	5 616	5 375	5 292	4 833	5 347
		Total‡	6 636	6 334	6 283	5 834	6 405
4	Cerebrovascular diseases (ICD10: I60-I69)	0-14	10	2	6	5	9
		15-44	57	55	82	58	67
		45-64	388	428	396	402	466
		65 and above	2 967	2 853	2 792	2 786	2 793
		Total‡	3 423	3 339	3 276	3 252	3 336
5	External causes of morbidity and mortality* (ICD10: V01-Y89)	0-14	27	14	15	25	16
		15-44	627	479	479	564	506
		45-64	548	486	478	564	558
		65 and above	659	578	679	703	750
		Total‡	1 864	1 567	1 655	1 860	1 834
6	Chronic lower respiratory diseases† (ICD10: J40-J47)	0-14	0	1	1	3	2
		15-44	8	12	18	9	8
		45-64	127	105	99	110	109
		65 and above	1 958	1 846	1 863	1 621	1 622
		Total‡	2 093	1 965	1 981	1 743	1 742
7	Nephritis, nephrotic syndrome and nephrosis (ICD10: N00-N07, N17-N19, N25-N27)	0-14	5	0	2	1	1
		15-44	8	13	21	14	16
		45-64	142	143	159	148	151
		65 and above	1 338	1 389	1 447	1 426	1 516
		Total	1 493	1 545	1 629	1 589	1 684
8	Dementia (ICD10: F01-F03)	0-14	0	0	0	0	0
		15-44	0	0	0	0	0
		45-64	6	3	8	6	17
		65 and above	761	750	896	993	1 095
		Total	767	753	904	999	1 112
9	Septicaemia (ICD10: A40-A41)	0-14	15	7	10	8	8
		15-44	16	14	17	21	12
		45-64	98	88	89	85	71
		65 and above	697	658	721	738	793
		Total	826	767	837	852	884
10	Diabetes mellitus (ICD10: E10-E14)	0-14	0	0	0	1	0
		15-44	11	10	11	8	10
		45-64	69	62	58	60	57
		65 and above	442	385	329	291	323
		Total	522	457	398	360	390
All other causes		0-14	155	152	156	114	112
		15-44	242	228	199	239	241
		45-64	900	913	892	945	973
		65 and above	4 862	4 699	5 155	5 172	5 681
		Total‡	6 185	6 009	6 413	6 491	7 018
All causes		0-14	252	221	224	193	203
		15-44	1 655	1 500	1 504	1 571	1 484
		45-64	7 248	7 353	7 287	7 493	7 744
		65 and above	33 512	33 082	34 641	34 115	36 259
		Total‡	42 699	42 188	43 672	43 399	45 710

Notes: Classification of diseases and causes of death is based on the International Statistical Classification of Diseases and Related Health Problems (ICD) 10th Revision from 2001 onwards.

* According to the ICD 10th Revision, when the morbid condition is classifiable under Chapter XIX as “injury, poisoning and certain other consequences of external causes”, the codes under Chapter XX for “external causes of morbidity and mortality” should be used as the primary cause of death.

† Chronic lower respiratory diseases have been included as a disease group for the purpose of ranking the causes of death since 2001.

‡ Including unknown age.

(i) (cont'd) : Number of registered deaths by ten leading causes of death by sex, 2010-2014
(Ranking is according to the number of registered deaths in 2014)

Rank	Disease group	Sex	Number of registered deaths				
			2010	2011	2012	2013	2014
1	Malignant neoplasms (ICD10: C00-C97)	Male	7 831	7 936	7 933	7 934	8 223
		Female	5 245	5 305	5 403	5 655	5 580
		Total	13 076	13 241	13 336	13 589	13 803
2	Pneumonia (ICD10: J12-J18)	Male	3 078	3 359	3 683	3 690	4 038
		Female	2 736	2 852	3 277	3 140	3 464
		Total	5 814	6 211	6 960	6 830	7 502
3	Diseases of heart (ICD10: I00-I09, I11, I13, I20-I51)	Male	3 479	3 353	3 398	3 210	3 510
		Female	3 157	2 981	2 885	2 624	2 895
		Total	6 636	6 334	6 283	5 834	6 405
4	Cerebrovascular diseases (ICD10: I60-I69)	Male	1 695	1 709	1 680	1 657	1 717
		Female	1 728	1 630	1 596	1 595	1 619
		Total	3 423	3 339	3 276	3 252	3 336
5	External causes of morbidity and mortality* (ICD10: V01-Y89)	Male	1 207	990	1 069	1 202	1 175
		Female	657	577	585	658	659
		Total	1 864	1 567	1 655	1 860	1 834
6	Chronic lower respiratory diseases† (ICD10: J40-J47)	Male	1 530	1 457	1 470	1 325	1 310
		Female	563	508	511	418	432
		Total	2 093	1 965	1 981	1 743	1 742
7	Nephritis, nephrotic syndrome and nephrosis (ICD10: N00-N07, N17-N19, N25-N27)	Male	763	727	799	763	813
		Female	730	818	830	826	871
		Total	1 493	1 545	1 629	1 589	1 684
8	Dementia (ICD10: F01-F03)	Male	302	276	337	388	445
		Female	465	477	567	611	667
		Total	767	753	904	999	1 112
9	Septicaemia (ICD10: A40-A41)	Male	411	421	430	406	383
		Female	415	346	407	446	501
		Total	826	767	837	852	884
10	Diabetes mellitus (ICD10: E10-E14)	Male	226	213	198	181	186
		Female	296	244	200	179	204
		Total	522	457	398	360	390
All other causes		Male	3 299	3 167	3 349	3 393	3 578
		Female	2 876	2 838	3 060	3 092	3 436
		Total‡	6 185	6 009	6 413	6 491	7 018
All causes		Male	23 821	23 608	24 346	24 149	25 378
		Female	18 868	18 576	19 321	19 244	20 328
		Total‡	42 699	42 188	43 672	43 399	45 710

Notes: Classification of diseases and causes of death is based on the International Statistical Classification of Diseases and Related Health Problems (ICD) 10th Revision from 2001 onwards.

* According to the ICD 10th Revision, when the morbid condition is classifiable under Chapter XIX as “injury, poisoning and certain other consequences of external causes”, the codes under Chapter XX for “external causes of morbidity and mortality” should be used as the primary cause of death.

† Chronic lower respiratory diseases have been included as a disease group for the purpose of ranking the causes of death since 2001.

‡ Including unknown sex.

(j) : Net Enrolment Ratio by Grade and Sex, 2010/11 – 2014/15 School Years

Grade	Sex	Net Enrolment Ratios (%)				
		2010/11	2011/12	2012/13	2013/14	2014/15
P1-P6	Male	95.1	97.3	97.2	98.3	97.9
	Female	94.1	96.2	95.7	96.1	95.2
	Both Sexes	94.6	96.8	96.5	97.3	96.6
S1-S3 ⁽¹⁾	Male	84.7	86.1	87.4	89.9	90.3
	Female	82.7	83.7	85.2	88.3	89.0
	Both Sexes	83.8	85.0	86.4	89.2	89.7
S4-S6 ⁽¹⁾⁽²⁾⁽³⁾⁽⁴⁾	Male	-	78.6	77.8	77.9	79.4 [#]
	Female	-	80.5	80.0	79.5	80.7 [#]
	Both Sexes	-	79.5	78.9	78.7	80.0 [#]
S4-S5 ⁽¹⁾⁽²⁾⁽³⁾	Male	72.4	-	-	-	-
	Female	74.7	-	-	-	-
	Both Sexes	73.5	-	-	-	-
S6-S7 ⁽⁴⁾	Male	28.1	-	-	-	-
	Female	34.1	-	-	-	-
	Both Sexes	31.0	-	-	-	-
S1-S6 ⁽¹⁾⁽²⁾⁽³⁾⁽⁴⁾	Male	-	90.6	90.4	91.5	92.7 [#]
	Female	-	89.7	89.6	90.7	92.0 [#]
	Both Sexes	-	90.2	90.0	91.1	92.4 [#]
S1-S7 ⁽¹⁾⁽²⁾⁽³⁾⁽⁴⁾	Male	80.8	-	-	-	-
	Female	79.9	-	-	-	-
	Both Sexes	80.4	-	-	-	-

Notes:

Figures refer to the position as at September of the respective school years. They include students attending in both day and evening schools, special schools and special classes.

- (1) Figures include correctional/residential home under the Social Welfare Department and correctional institutions under the Correctional Services Department.
- (2) Figures include students enrolled in craft level courses and Yi Jin Diploma Programme.
- (3) Figures include secondary day courses operated by private schools offering tutorial, vocational and adult education courses.
- (4) The New Senior Secondary academic structure has been implemented fully from 2011/12 school year onwards. The Net Enrolment Ratio at secondary level from this year is compiled based on school-age population 12-17 (i.e. excluding S7) vis-a-vis those ratios based on school-age population 12-18 (i.e. including S7) in preceding years.

Provisional figures

(k) : School Attendance Rates by Age Group and Sex, 2001, 2006 and 2011

Age Group	School Attendance Rate (%)								
	2001			2006			2011		
	Male	Female	Both Sexes	Male	Female	Both Sexes	Male	Female	Both Sexes
3 – 5	94.6	94.7	94.7	89.9	88.3	89.1	91.0	91.6	91.3
6 – 11	99.9	99.9	99.9	99.9	99.9	99.9	100.0	100.0	100.0
12 – 16	96.9	98.0	97.5	98.7	99.1	98.9	98.2	99.0	98.6
17 - 18	68.0	74.1	71.0	81.1	84.6	82.8	84.5	87.7	86.0
19 – 24	26.8 (26.8)	26.1 (29.4)	26.4 (28.0)	38.4 (38.4)	36.3 (40.3)	37.3 (39.3)	43.8 (43.8)	43.8 (46.4)	43.8 (45.1)
25+	0.4	0.3	0.3	0.5	0.4	0.4	0.5	0.5	0.5

Note: Figures in brackets are school attendance rates compiled with foreign domestic helpers excluded from the population in the respective age-sex group.

(l) : Pupil-Teacher Ratios in Public Sector Primary and Secondary Schools, 2011 - 2015

	2011	2012	2013	2014	2015*
Primary school	14.9	14.4	14.2	14.0	14.1
Secondary school	15.3	14.5	13.8	13.0	12.4

Notes : Figures refer to the position as at mid-September of the respective school years.

Figures include Government, aided and caput schools, but exclude special schools.

* Provisional figures

(m) : Unemployment and Unemployment Rates by Sex and by Age Group

Sex/Age group	2010		2011		2012		2013		2014	
	Number (’000)	Rate (%)	Number (’000)	Rate (%)	Number (’000)	Rate (%)	Number (’000)	Rate (%)	Number (’000)	Rate (%)
Male										
15 - 19	5.1	22.9	3.8	17.9	3.5	15.6	4.0	17.5	2.9	13.2
20 - 24	16.6	12.6	13.3	9.9	13.9	10.1	14.5	10.3	13.5	9.9
25 - 29	11.8	5.5	9.9	4.6	9.2	4.3	9.2	4.5	8.3	4.0
30 - 34	7.8	3.7	6.6	3.1	6.8	3.1	5.8	2.6	5.3	2.4
35 - 39	8.2	3.6	7.1	3.1	6.1	2.7	5.4	2.5	5.3	2.4
40 - 44	10.0	4.2	7.0	3.0	6.6	2.9	6.3	2.8	6.2	2.7
45 - 49	11.1	3.9	8.1	2.9	8.7	3.2	8.7	3.4	7.1	3.0
50 - 54	13.4	4.9	11.0	3.9	9.4	3.4	9.2	3.2	8.2	2.9
55 - 59	9.3	5.0	7.7	3.9	6.9	3.3	8.3	3.7	8.0	3.4
60 - 64	3.5	3.9	2.4	2.4	3.2	2.8	3.2	2.7	4.2	3.3
≥ 65	0.7	1.7	0.5	1.2	0.4	0.8	0.9	1.6	1.9	2.7
Overall	97.6	5.1	77.5	4.0	74.9	3.8	75.6	3.8	70.9	3.6
Female										
15 - 19	3.5	18.2	2.6	13.6	2.4	11.9	2.6	11.4	2.8	11.9
20 - 24	13.2	9.3	9.9	6.9	10.1	7.0	10.6	7.2	10.4	7.5
25 - 29	7.7	2.9	6.8	2.6	6.8	2.6	7.4	2.9	7.3	2.9
30 - 34	6.3	2.5	5.3	2.0	4.5	1.7	5.6	2.0	6.0	2.1
35 - 39	6.2	2.6	4.9	2.0	5.4	2.2	5.6	2.3	4.9	1.9
40 - 44	6.6	2.9	6.4	2.7	6.2	2.5	6.5	2.6	6.4	2.6
45 - 49	6.9	2.9	5.6	2.3	6.1	2.5	6.4	2.7	6.4	2.7
50 - 54	5.6	3.1	4.6	2.4	4.8	2.4	5.2	2.4	6.1	2.8
55 - 59	3.0	3.1	2.1	1.9	2.5	2.0	4.0	2.9	4.1	2.8
60 - 64	0.6	1.7	1.0	2.3	0.8	1.7	1.4	2.6	1.5	2.5
≥ 65	§	§	§	§	§	§	§	§	0.4	1.8
Overall	59.5	3.5	49.2	2.8	49.6	2.7	55.2	3.0	56.3	3.0
Both sexes										
15 - 19	8.6	20.8	6.4	15.8	5.9	13.9	6.5	14.5	5.7	12.5
20 - 24	29.8	10.9	23.2	8.4	24.0	8.6	25.0	8.7	23.9	8.7
25 - 29	19.5	4.1	16.8	3.5	15.9	3.3	16.6	3.6	15.6	3.4
30 - 34	14.1	3.1	11.9	2.5	11.3	2.3	11.3	2.3	11.3	2.2
35 - 39	14.4	3.1	12.0	2.6	11.5	2.4	11.0	2.4	10.2	2.2
40 - 44	16.7	3.5	13.4	2.9	12.8	2.7	12.8	2.7	12.6	2.6
45 - 49	18.0	3.4	13.7	2.6	14.8	2.9	15.0	3.0	13.6	2.8
50 - 54	19.0	4.2	15.6	3.3	14.3	3.0	14.4	2.9	14.3	2.8
55 - 59	12.3	4.4	9.8	3.2	9.4	2.8	12.3	3.4	12.1	3.2
60 - 64	4.1	3.3	3.4	2.4	4.0	2.5	4.6	2.7	5.7	3.0
≥ 65	0.7	1.4	0.6	1.1	0.5	0.8	1.1	1.4	2.2	2.5
Overall	157.2	4.3	126.7	3.4	124.5	3.3	130.8	3.4	127.2	3.3

Notes : Statistics are compiled based on data collected in the General Household Survey from January to December of the year concerned as well as the mid-year population estimates by District Council district compiled jointly by the Census and Statistics Department and an inter-departmental Working Group on Population Distribution Projections of the HKSAR.

Figures presented in the above table are statistics which involve the use of the population figures in the compilation process. They have been revised to take into account the results of the 2011 Population Census which provided a benchmark for revising the population figures compiled since the 2006 Population By-census.

§ Statistics are not released due to large sampling errors.

(n) : Employed Persons by Industry of Main Employment, Age Group and Sex

Industry/Age group		2010						2011					
		Male		Female		Both Sexes		Male		Female		Both Sexes	
		Number (‘000)	Percentage (%)	Number (‘000)	Percentage (%)	Number (‘000)	Percentage (%)	Number (‘000)	Percentage (%)	Number (‘000)	Percentage (%)	Number (‘000)	Percentage (%)
Manufacturing	15 - 24	3.5	0.2	1.0	0.1	4.5	0.1	3.2	0.2	1.3	0.1	4.5	0.1
	25 - 39	23.6	1.3	12.0	0.7	35.5	1.0	22.1	1.2	12.1	0.7	34.2	1.0
	≥ 40	63.2	3.4	29.5	1.8	92.7	2.7	64.5	3.5	29.7	1.7	94.2	2.6
	Sub-total	90.3	4.9	42.5	2.6	132.8	3.8	89.9	4.8	43.0	2.5	132.9	3.7
Construction	15 - 24	11.2	0.6	1.5	0.1	12.7	0.4	13.1	0.7	2.3	0.1	15.4	0.4
	25 - 39	71.5	3.9	8.4	0.5	79.8	2.3	72.2	3.9	8.9	0.5	81.1	2.3
	≥ 40	159.9	8.7	12.5	0.8	172.4	5.0	168.3	9.0	12.3	0.7	180.6	5.0
	Sub-total	242.5	13.2	22.4	1.4	264.9	7.6	253.5	13.6	23.5	1.4	277.0	7.7
Import/export trade & wholesale	15 - 24	10.3	0.6	18.3	1.1	28.6	0.8	11.7	0.6	15.5	0.9	27.1	0.8
	25 - 39	98.5	5.4	123.9	7.6	222.4	6.4	92.8	5.0	120.9	7.1	213.7	6.0
	≥ 40	170.0	9.3	126.1	7.7	296.1	8.5	168.1	9.0	129.9	7.6	298.0	8.3
	Sub-total	278.7	15.2	268.3	16.4	547.0	15.7	272.6	14.6	266.3	15.6	538.8	15.1
Retail, accommodation ⁽¹⁾ & food services	15 - 24	41.3	2.3	39.4	2.4	80.7	2.3	41.7	2.2	41.9	2.4	83.5	2.3
	25 - 39	87.1	4.7	109.0	6.6	196.1	5.6	93.4	5.0	111.1	6.5	204.5	5.7
	≥ 40	128.7	7.0	152.4	9.3	281.1	8.1	126.9	6.8	163.0	9.5	289.9	8.1
	Sub-total	257.1	14.0	300.8	18.3	557.9	16.1	262.0	14.0	315.9	18.5	577.9	16.2
Transportation, storage, postal and courier services, information & communications	15 - 24	17.0	0.9	7.9	0.5	24.8	0.7	18.1	1.0	10.1	0.6	28.2	0.8
	25 - 39	118.0	6.4	48.1	2.9	166.1	4.8	114.4	6.1	48.0	2.8	162.4	4.5
	≥ 40	195.0	10.6	36.2	2.2	231.2	6.7	199.4	10.7	44.1	2.6	243.5	6.8
	Sub-total	330.0	18.0	92.1	5.6	422.1	12.2	332.0	17.8	102.2	6.0	434.2	12.1
Financing, insurance, real estate & business services	15 - 24	21.2	1.2	22.5	1.4	43.7	1.3	23.7	1.3	23.0	1.3	46.7	1.3
	25 - 39	127.0	6.9	124.5	7.6	251.5	7.2	132.8	7.1	126.6	7.4	259.3	7.3
	≥ 40	188.9	10.3	157.3	9.6	346.1	10.0	197.4	10.6	172.5	10.1	369.9	10.3
	Sub-total	337.1	18.4	304.3	18.5	641.4	18.5	353.9	19.0	322.1	18.8	676.0	18.9
Public administration, social & personal services	15 - 24	27.9	1.5	53.5	3.3	81.5	2.3	26.5	1.4	54.5	3.2	81.0	2.3
	25 - 39	99.2	5.4	304.5	18.6	403.7	11.6	99.5	5.3	319.5	18.7	419.0	11.7
	≥ 40	151.8	8.3	247.6	15.1	399.4	11.5	156.5	8.4	258.9	15.1	415.4	11.6
	Sub-total	279.0	15.2	605.6	36.9	884.6	25.5	282.5	15.1	632.9	37.0	915.4	25.6
Other industries	15 - 24	0.6	0.0	0.4	0.0	0.9	0.0	0.9	0.0	0.3	0.0	1.2	0.0
	25 - 39	4.7	0.3	1.4	0.1	6.2	0.2	3.9	0.2	1.5	0.1	5.4	0.2
	≥ 40	13.6	0.7	2.7	0.2	16.3	0.5	14.1	0.8	3.4	0.2	17.5	0.5
	Sub-total	18.9	1.0	4.5	0.3	23.4	0.7	18.9	1.0	5.3	0.3	24.1	0.7
Total	15 - 24	132.9	7.3	144.4	8.8	277.4	8.0	138.9	7.4	148.9	8.7	287.7	8.0
	25 - 39	629.6	34.3	731.7	44.6	1 361.3	39.2	630.9	33.8	748.7	43.8	1 379.6	38.6
	≥ 40	1 071.1	58.4	764.3	46.6	1 835.4	52.8	1 095.4	58.7	813.7	47.5	1 909.1	53.4
	Sub-total	1 833.7	100.0	1 640.5	100.0	3 474.1	100.0	1 865.2	100.0	1 711.2	100.0	3 576.4	100.0

(n) (cont'd) : Employed Persons by Industry of Main Employment, Age Group and Sex

Industry/Age group		2012						2013					
		Male		Female		Both Sexes		Male		Female		Both Sexes	
		Number (^{'000})	Percentage (%)	Number (^{'000})	Percentage (%)	Number (^{'000})	Percentage (%)	Number (^{'000})	Percentage (%)	Number (^{'000})	Percentage (%)	Number (^{'000})	Percentage (%)
Manufacturing	15 - 24	3.4	0.2	1.6	0.1	5.0	0.1	3.6	0.2	1.0	0.1	4.6	0.1
	25 - 39	22.5	1.2	10.5	0.6	33.0	0.9	18.0	0.9	10.5	0.6	28.5	0.8
	≥ 40	64.7	3.4	31.2	1.8	95.9	2.6	63.1	3.3	29.5	1.6	92.6	2.5
	Sub-total	90.6	4.8	43.2	2.5	133.8	3.7	84.7	4.4	41.0	2.3	125.7	3.4
Construction	15 - 24	14.0	0.7	1.7	0.1	15.7	0.4	13.4	0.7	2.1	0.1	15.5	0.4
	25 - 39	75.8	4.0	9.6	0.5	85.4	2.3	78.1	4.1	11.5	0.6	89.6	2.4
	≥ 40	175.8	9.3	13.8	0.8	189.6	5.2	187.5	9.8	16.2	0.9	203.7	5.5
	Sub-total	265.6	14.0	25.0	1.4	290.7	7.9	279.1	14.6	29.8	1.6	308.8	8.3
Import/export trade & wholesale	15 - 24	12.6	0.7	15.2	0.9	27.8	0.8	9.5	0.5	12.7	0.7	22.2	0.6
	25 - 39	92.6	4.9	122.8	7.0	215.4	5.9	78.7	4.1	108.6	6.0	187.3	5.0
	≥ 40	174.5	9.2	146.7	8.3	321.3	8.8	167.7	8.8	137.8	7.6	305.5	8.2
	Sub-total	279.8	14.7	284.7	16.1	564.5	15.4	255.9	13.3	259.1	14.3	515.0	13.8
Retail, accommodation ⁽¹⁾ & food services	15 - 24	43.5	2.3	42.8	2.4	86.3	2.4	44.1	2.3	47.0	2.6	91.1	2.4
	25 - 39	90.4	4.8	114.4	6.5	204.8	5.6	94.3	4.9	116.4	6.4	210.7	5.7
	≥ 40	126.6	6.7	173.1	9.8	299.7	8.2	128.6	6.7	181.3	10.0	310.0	8.3
	Sub-total	260.5	13.7	330.4	18.7	590.8	16.1	267.0	13.9	344.7	19.0	611.8	16.4
Transportation, storage, postal and courier services, information & communications	15 - 24	18.4	1.0	11.3	0.6	29.6	0.8	18.7	1.0	11.2	0.6	29.9	0.8
	25 - 39	112.0	5.9	48.5	2.7	160.5	4.4	115.5	6.0	49.9	2.8	165.4	4.4
	≥ 40	201.5	10.6	42.2	2.4	243.7	6.7	205.5	10.7	44.4	2.5	249.9	6.7
	Sub-total	331.9	17.5	101.9	5.8	433.8	11.9	339.8	17.7	105.5	5.8	445.3	11.9
Financing, insurance, real estate & business services	15 - 24	22.3	1.2	23.7	1.3	46.0	1.3	24.9	1.3	23.4	1.3	48.3	1.3
	25 - 39	137.5	7.2	121.3	6.9	258.9	7.1	139.2	7.3	126.4	7.0	265.6	7.1
	≥ 40	207.4	10.9	175.0	9.9	382.4	10.4	217.0	11.3	188.7	10.4	405.6	10.9
	Sub-total	367.3	19.4	320.0	18.1	687.3	18.8	381.1	19.9	338.4	18.7	719.5	19.3
Public administration, social & personal services	15 - 24	27.8	1.5	54.2	3.1	81.9	2.2	29.8	1.6	59.4	3.3	89.3	2.4
	25 - 39	99.8	5.3	334.9	19.0	434.7	11.9	101.4	5.3	339.9	18.8	441.3	11.8
	≥ 40	154.0	8.1	264.9	15.0	418.8	11.4	160.0	8.3	288.0	15.9	447.9	12.0
	Sub-total	281.5	14.8	653.9	37.1	935.4	25.6	291.2	15.2	687.3	37.9	978.5	26.2
Other industries	15 - 24	0.6	0.0	0.3	0.0	0.8	0.0	0.8	0.0	0.4	0.0	1.2	0.0
	25 - 39	4.3	0.2	1.4	0.1	5.7	0.2	4.7	0.2	1.8	0.1	6.4	0.2
	≥ 40	15.2	0.8	2.6	0.2	17.8	0.5	12.6	0.7	3.2	0.2	15.8	0.4
	Sub-total	20.1	1.1	4.3	0.2	24.4	0.7	18.1	0.9	5.4	0.3	23.5	0.6
Total	15 - 24	142.4	7.5	150.7	8.5	293.1	8.0	145.0	7.6	157.1	8.7	302.1	8.1
	25 - 39	634.9	33.5	763.4	43.3	1 398.3	38.2	629.8	32.9	764.9	42.2	1 394.7	37.4
	≥ 40	1 119.8	59.0	849.5	48.2	1 969.3	53.8	1 142.0	59.6	889.1	49.1	2 031.1	54.5
	Sub-total	1 897.2	100.0	1 763.5	100.0	3 660.7	100.0	1 916.8	100.0	1 811.2	100.0	3 728.0	100.0

(n) (cont'd) : Employed Persons by Industry of Main Employment, Age Group and Sex

Industry/Age group		2014					
		Male		Female		Both Sexes	
		Number ('000)	Percentage (%)	Number ('000)	Percentage (%)	Number ('000)	Percentage (%)
Manufacturing	15 - 24	5.0	0.3	1.0	0.1	6.1	0.2
	25 - 39	19.6	1.0	9.6	0.5	29.1	0.8
	≥ 40	63.1	3.3	32.1	1.8	95.2	2.5
	Sub-total	87.7	4.6	42.7	2.3	130.4	3.5
Construction	15 - 24	14.3	0.7	1.6	0.1	15.8	0.4
	25 - 39	76.3	4.0	12.1	0.7	88.4	2.4
	≥ 40	185.9	9.7	16.9	0.9	202.8	5.4
	Sub-total	276.5	14.4	30.5	1.7	307.0	8.2
Import/export trade & wholesale	15 - 24	8.6	0.5	12.1	0.7	20.7	0.6
	25 - 39	78.9	4.1	101.1	5.5	180.0	4.8
	≥ 40	165.8	8.6	135.9	7.4	301.7	8.0
	Sub-total	253.3	13.2	249.0	13.6	502.4	13.4
Retail, accommodation ⁽¹⁾ & food services	15 - 24	44.4	2.3	45.4	2.5	89.8	2.4
	25 - 39	100.1	5.2	119.1	6.5	219.3	5.8
	≥ 40	135.3	7.1	190.2	10.4	325.4	8.7
	Sub-total	279.8	14.6	354.7	19.4	634.5	16.9
Transportation, storage, postal and courier services, information & communications	15 - 24	19.7	1.0	10.9	0.6	30.6	0.8
	25 - 39	107.6	5.6	53.4	2.9	160.9	4.3
	≥ 40	206.3	10.8	48.3	2.6	254.6	6.8
	Sub-total	333.6	17.4	112.6	6.1	446.1	11.9
Financing, insurance, real estate & business services	15 - 24	22.8	1.2	23.3	1.3	46.1	1.2
	25 - 39	138.5	7.2	134.6	7.3	273.1	7.3
	≥ 40	219.2	11.4	195.2	10.7	414.4	11.1
	Sub-total	380.5	19.8	353.1	19.3	733.6	19.6
Public administration, social & personal services	15 - 24	26.4	1.4	54.8	3.0	81.2	2.2
	25 - 39	104.3	5.4	338.6	18.5	443.0	11.8
	≥ 40	157.6	8.2	290.9	15.9	448.5	12.0
	Sub-total	288.3	15.0	684.4	37.4	972.7	25.9
Other industries	15 - 24	0.7	0.0	0.3	0.0	1.0	0.0
	25 - 39	3.7	0.2	1.6	0.1	5.3	0.1
	≥ 40	13.0	0.7	3.1	0.2	16.1	0.4
	Sub-total	17.5	0.9	5.0	0.3	22.5	0.6
Total	15 - 24	142.0	7.4	149.3	8.1	291.3	7.8
	25 - 39	629.1	32.8	770.0	42.0	1 399.1	37.3
	≥ 40	1 146.1	59.8	912.7	49.8	2 058.8	54.9
	Sub-total	1 917.2	100.0	1 832.0	100.0	3 749.2	100.0

Notes : Statistics are compiled based on data collected in the General Household Survey from January to December of the year concerned as well as the mid-year population estimates by District Council district compiled jointly by the Census and Statistics Department and an inter-departmental Working Group on Population Distribution Projections of the HKSAR.

Figures presented in the above table are statistics which involve the use of the population figures in the compilation process. They have been revised to take into account the results of the 2011 Population Census which provided a benchmark for revising the population figures compiled since the 2006 Population By-census.

Statistics are compiled based on HSIC Version 2.0.

(1) Accommodation services cover hotels, guesthouses, boarding houses and other establishments providing short term accommodation.

0.0 Less than 0.05%

(o) : Labour Force and Labour Force Participation Rates by Sex and Age Group

Sex/Age group	2010		2011		2012		2013		2014	
	Number (‘000)	Rate (%)	Number (‘000)	Rate (%)	Number (‘000)	Rate (%)	Number (‘000)	Rate (%)	Number (‘000)	Rate (%)
Male										
15 - 19	22.4	10.2	21.3	9.9	22.4	10.5	22.7	11.0	21.8	11.1
20 - 24	132.3	60.6	134.6	61.1	137.4	61.1	140.7	62.5	136.6	61.5
25 - 29	215.1	94.0	213.9	93.9	212.1	94.5	206.8	93.8	207.9	93.4
30 - 34	213.8	96.5	215.7	96.3	220.9	97.4	223.1	96.9	223.3	96.6
35 - 39	228.6	96.5	225.0	96.7	224.1	96.3	220.4	96.8	216.7	96.4
40 - 44	238.0	95.9	230.8	95.8	230.0	96.0	228.3	95.9	227.5	95.7
45 - 49	288.4	94.3	277.9	94.6	269.7	94.7	256.3	95.2	240.4	93.8
50 - 54	276.1	90.3	281.0	90.4	280.8	90.5	286.2	91.9	283.1	91.8
55 - 59	186.5	77.0	197.1	78.1	209.6	78.9	227.1	81.3	235.7	81.4
60 - 64	90.5	48.6	101.7	50.0	113.6	53.7	120.9	55.4	127.0	56.2
≥ 65	39.8	9.8	43.7	10.5	51.5	11.9	60.0	13.2	68.1	14.3
Overall	1 931.3	68.5	1 942.7	68.4	1 972.1	68.7	1 992.4	69.1	1 988.1	68.8
Female										
15 - 19	19.0	9.2	18.8	9.1	19.7	9.7	22.5	11.5	23.3	12.5
20 - 24	142.1	61.4	142.5	62.1	143.4	62.0	147.8	64.2	139.2	61.4
25 - 29	263.3	86.6	265.9	87.5	264.0	87.2	255.6	86.6	251.3	86.3
30 - 34	248.3	78.8	259.0	80.1	268.5	80.5	279.1	81.5	283.1	81.5
35 - 39	240.4	72.6	240.7	73.5	247.5	74.6	248.8	75.4	253.9	76.4
40 - 44	231.9	70.5	236.1	71.7	243.4	72.8	250.9	74.3	249.6	73.7
45 - 49	236.0	66.1	242.8	68.3	241.8	68.9	240.3	71.3	238.8	72.4
50 - 54	179.0	56.5	189.9	58.7	199.9	60.8	216.7	63.8	223.0	64.2
55 - 59	96.9	39.3	110.4	42.8	123.5	45.4	134.8	47.0	145.5	48.8
60 - 64	34.3	18.4	43.4	21.3	47.5	22.2	53.1	23.9	60.8	26.2
≥ 65	8.9	2.0	10.9	2.3	13.9	2.9	16.8	3.3	19.8	3.7
Overall	1 700.0	51.9	1 760.4	53.0	1 813.1	53.6	1 866.4	54.5	1 888.3	54.6
Both sexes										
15 - 19	41.4	9.7	40.1	9.5	42.2	10.1	45.2	11.2	45.1	11.8
20 - 24	274.4	61.0	277.1	61.6	280.9	61.6	288.5	63.4	275.8	61.4
25 - 29	478.3	89.8	479.9	90.2	476.1	90.3	462.3	89.7	459.2	89.4
30 - 34	462.1	86.1	474.7	86.7	489.4	87.3	502.2	87.7	506.3	87.5
35 - 39	468.9	82.5	465.7	83.1	471.6	83.5	469.2	84.1	470.7	84.5
40 - 44	469.9	81.4	466.8	81.9	473.4	82.5	479.2	83.2	477.1	82.8
45 - 49	524.4	79.1	520.7	80.2	511.5	80.5	496.6	81.9	479.2	81.8
50 - 54	455.1	73.1	470.9	74.2	480.6	75.2	502.9	77.2	506.1	77.2
55 - 59	283.3	58.0	307.5	60.2	333.1	61.9	361.8	63.9	381.2	64.9
60 - 64	124.8	33.5	145.0	35.7	161.1	37.8	174.0	39.5	187.8	41.0
≥ 65	48.7	5.7	54.6	6.2	65.4	7.1	76.7	8.0	87.9	8.8
Overall	3 631.3	59.6	3 703.1	60.1	3 785.2	60.5	3 858.8	61.2	3 876.4	61.1

Notes : Statistics are compiled based on data collected in the General Household Survey from January to December of the year concerned as well as the mid-year population estimates by District Council district compiled jointly by the Census and Statistics Department and an inter-departmental Working Group on Population Distribution Projections of the HKSAR.

Figures presented in the above table are statistics which involve the use of the population figures in the compilation process. They have been revised to take into account the results of the 2011 Population Census which provided a benchmark for revising the population figures compiled since the 2006 Population By-census.

(p) : Per capita income

	Year				
	2010	2011	2012	2013	2014
Per capita income ⁽¹⁾ (\$)	252,887	273,549	284,720	297,553	311,479

Note:

⁽¹⁾ Figures refer to per capita GDP at current market prices.

(q) : GDP at current market prices

	Year				
	2010	2011	2012	2013	2014
GDP at current market prices (\$ million)	1,776,332	1,934,430	2,037,059	2,138,660	2,255,635

(r) : Annual growth rate of GDP

	Year				
	2010	2011	2012	2013	2014
Annual growth rate ⁽¹⁾ (%)	6.8	4.8	1.7	3.1	2.5

Note:

⁽¹⁾ Figures refer to percentage change of GDP in real terms.

(s) : Gross National Income (GNI) , real Gross National Income (RGNI), per capita GNI and per capita RGNI of Hong Kong

Year	GNI ⁽¹⁾		RGNI ⁽²⁾	
	At current market prices	In chained (2013) dollars	At current market prices	In chained (2013) dollars
	\$ million	\$ million	\$	\$
1993	936,211	1,215,397	158,653	205,965
1994	1,051,860	1,266,686	174,282	209,876
1995	1,128,818	1,271,416	183,366	206,529
1996	1,224,628	1,319,100	190,293	204,972
1997	1,371,972	1,407,015	211,421	216,821
1998	1,333,641	1,379,470	203,805	210,809
1999	1,312,098	1,395,454	198,607	211,224
2000	1,348,246	1,466,241	202,287	219,991
2001	1,351,595	1,504,741	201,301	224,110
2002	1,305,731	1,525,970	193,611	226,267
2003	1,288,895	1,564,651	191,492	232,461
2004	1,344,927	1,628,782	198,264	240,109
2005	1,419,589	1,699,071	208,359	249,379
2006	1,538,864	1,812,661	224,419	264,348
2007	1,703,567	1,961,699	246,312	283,634
2008	1,807,994	2,027,097	259,851	291,342
2009	1,709,007	1,933,901	245,096	277,349
2010	1,813,928	2,004,372	258,240	285,352
2011	1,987,256	2,099,764	281,019	296,929
2012	2,066,514	2,095,734	288,837	292,921
2013*	2,179,179	2,179,179	303,190	303,190
2014*	2,302,242	2,232,746	317,915	308,318

Notes: Figures in this table are the latest data released on 14 December 2015.

In Hong Kong, the first released GNI statistics in respect of a period are called “preliminary figures”. When more data become available, the preliminary figures will be revised. All those figures published subsequently, on revision, are called “revised figures”. The figures are finalised when data from all regular sources are incorporated.

(1) GNI is a measure of the total income earned by residents of an economy from engaging in various economic activities, irrespective of whether the economic activities are carried out within the economic territory of the economy or outside. GNI is computed as follows:

$$\text{GNI} = \text{GDP} + \text{Net external primary income flows}$$

Primary income comprises investment income and compensation of employees. Investment income includes direct investment income, portfolio investment income and other investment income as well as income on reserve assets.

(2) The chained dollar estimate of RGNI for a particular year is obtained by multiplying the chain volume index for that year by the current price value for the reference year. In compiling the continuous time series of the chain volume indices of RGNI, the annually re-weighted chain linking approach is adopted.

(3) Per capita GNI of an economy is obtained by dividing GNI in a year by the population of that economy in the same year.

(4) Per capita RGNI of an economy is obtained by dividing RGNI in a year by the population of that economy in the same year.

* Revised figures

(t) : Consumer Price Index**Table 1(A) - Composite Consumer Price Index (Oct 2009 – Sep 2010 = 100)**

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
2010	100.0	101.0	100.5	101.0	100.9	101.0	98.7	98.7	99.0	102.0	102.4	102.9	100.7
2011	103.5	104.6	104.9	105.6	106.2	106.7	106.5	104.3	104.7	107.9	108.2	108.8	106.0
2012	109.8	109.5	110.0	110.6	110.7	110.6	108.3	108.3	108.7	112.0	112.3	112.9	110.3
2013	113.1	114.3	114.0	115.1	115.0	115.2	115.8	113.2	113.7	116.8	117.1	117.7	115.1
2014	118.3	118.8	118.5	119.3	119.2	119.3	120.5	117.6	121.2	122.9	123.1	123.4	120.2
2015	123.1	124.3	123.9	122.7	122.9	123.1	123.5	120.5	123.6	125.8	126.1	-	-

Table 1(B) - Consumer Price Index (A) (Oct 2009 - Sep 2010 = 100)

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
2010	101.3	102.3	101.8	102.0	102.0	102.1	95.4	95.4	96.1	103.4	103.6	104.1	100.8
2011	104.9	106.2	106.7	107.1	107.7	108.1	107.4	100.6	101.1	108.7	109.1	109.7	106.4
2012	110.6	110.7	111.2	111.5	111.8	111.7	104.8	104.7	105.4	113.4	113.7	114.3	110.3
2013	114.8	115.9	115.7	116.8	116.7	116.9	117.4	109.9	110.7	118.5	118.7	119.2	115.9
2014	119.9	120.8	120.6	121.3	121.2	121.2	122.8	115.2	124.4	126.9	127.2	127.4	122.4
2015	127.5	128.6	128.6	126.1	126.3	126.6	126.9	118.7	127.0	130.2	130.6	-	-

Table 1(C) - Consumer Price Index (B) (Oct 2009 - Sep 2010 = 100)

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
2010	99.8	100.6	100.0	100.5	100.4	100.5	99.9	100.0	100.1	101.4	101.8	102.4	100.6
2011	103.0	104.1	104.3	105.1	105.6	106.1	106.1	105.7	106.1	107.5	107.9	108.5	105.8
2012	109.5	109.3	109.7	110.4	110.4	110.4	109.8	109.8	110.2	111.5	111.8	112.4	110.4
2013	112.6	113.8	113.6	114.5	114.5	114.7	115.4	114.6	115.1	116.4	116.7	117.3	114.9
2014	118.0	118.4	118.1	118.9	118.8	118.9	119.9	119.0	120.5	121.9	122.1	122.5	119.8
2015	122.2	123.4	122.9	122.0	122.1	122.3	122.8	121.8	123.0	124.8	125.1	-	-

Table 1(D) - Consumer Price Index (C) (Oct 2009 - Sep 2010 = 100)

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
2010	99.1	100.1	99.6	100.6	100.3	100.4	100.7	100.7	100.7	101.2	101.7	102.3	100.6
2011	102.6	103.6	103.8	104.8	105.2	105.8	106.1	106.7	107.0	107.5	107.7	108.3	105.8
2012	109.2	108.5	109.1	110.0	109.8	109.8	110.1	110.1	110.5	111.0	111.3	111.9	110.1
2013	111.8	113.1	112.8	113.9	113.7	113.8	114.5	114.9	115.1	115.6	115.9	116.4	114.3
2014	116.9	117.1	116.8	117.8	117.7	117.8	118.6	118.6	118.7	119.7	119.9	120.2	118.3
2015	119.4	120.6	120.0	120.0	120.0	120.1	120.7	120.7	120.8	122.1	122.4	-	-

(t) (cont'd) : Consumer Price Index**Table 1(A) – Year-on-year rates of change in Composite Consumer Price Index⁽¹⁾**

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
2010	1.0	2.8	2.0	2.4	2.5	2.8	1.3	3.0	2.6	2.5	2.8	2.9	2.4
2011	3.4	3.6	4.4	4.6	5.2	5.6	7.9	5.7	5.8	5.8	5.7	5.7	5.3
2012	6.1	4.7	4.9	4.7	4.3	3.7	1.6	3.7	3.8	3.8	3.7	3.7	4.1
2013	3.0	4.4	3.6	4.0	3.9	4.1	6.9	4.5	4.6	4.3	4.3	4.3	4.3
2014	4.6	3.9	3.9	3.7	3.7	3.6	4.0	3.9	6.6	5.2	5.1	4.9	4.4
2015	4.1	4.6	4.5	2.8	3.0	3.1	2.5	2.4	2.0	2.4	2.4	-	-

Table 1(B) - Year-on-year rates of change in Consumer Price Index (A)⁽¹⁾

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
2010	1.7	3.4	2.5	2.9	3.0	3.2	-0.8	3.6	3.2	3.0	3.3	3.3	2.7
2011	3.6	3.8	4.8	5.0	5.6	5.9	12.5	5.4	5.2	5.2	5.3	5.3	5.6
2012	5.4	4.2	4.3	4.2	3.8	3.3	-2.4	4.1	4.3	4.3	4.2	4.2	3.6
2013	3.8	4.7	4.0	4.7	4.4	4.6	12.0	4.9	5.1	4.5	4.4	4.3	5.1
2014	4.5	4.2	4.3	3.9	3.9	3.7	4.6	4.8	12.3	7.1	7.2	6.9	5.6
2015	6.3	6.5	6.6	3.9	4.2	4.4	3.4	3.0	2.1	2.6	2.6	-	-

Table 1(C) - Year-on-year rates of change in Consumer Price Index (B)⁽¹⁾

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
2010	0.9	2.7	1.9	2.3	2.4	2.7	2.1	3.0	2.5	2.3	2.5	2.7	2.3
2011	3.2	3.5	4.2	4.5	5.2	5.6	6.2	5.8	6.0	6.0	6.0	5.9	5.2
2012	6.3	4.9	5.2	5.0	4.6	4.0	3.5	3.8	3.9	3.7	3.6	3.6	4.3
2013	2.8	4.2	3.5	3.8	3.7	3.9	5.0	4.4	4.5	4.4	4.4	4.4	4.1
2014	4.8	4.0	3.9	3.8	3.7	3.6	4.0	3.8	4.7	4.7	4.6	4.4	4.2
2015	3.6	4.2	4.1	2.6	2.8	2.9	2.4	2.4	2.1	2.4	2.5	-	-

Table 1(D) - Year-on-year rates of change in Consumer Price Index (C)⁽¹⁾

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
2010	0.5	2.2	1.5	2.0	2.2	2.4	2.6	2.5	2.0	2.1	2.5	2.8	2.1
2011	3.5	3.5	4.2	4.2	4.9	5.4	5.4	6.0	6.3	6.2	5.9	5.9	5.1
2012	6.4	4.7	5.1	4.9	4.3	3.7	3.7	3.2	3.3	3.2	3.3	3.3	4.1
2013	2.4	4.2	3.4	3.5	3.6	3.7	4.0	4.3	4.2	4.1	4.2	4.1	3.8
2014	4.5	3.5	3.5	3.5	3.5	3.5	3.5	3.2	3.1	3.6	3.4	3.2	3.5
2015	2.2	3.0	2.8	1.9	2.0	2.0	1.8	1.8	1.8	2.0	2.1	-	-

Note: ⁽¹⁾ From October 2010 onwards, the year-on-year rates of change are derived from the 2009/10-based Consumer Price Indices. The year-on-year rates of change before October 2010 were derived using the index series in the base periods at that time (for instance the 2004/05-based index series), compared with the index a year earlier in the same base period.

(u) : External Debt Statistics

Position as at end of	\$ million		
	General Government		
	Short-term	Long-term	All maturities
2004	149	12,341	12,490
2005	*	12,227	12,227
2006	*	12,990	12,990
2007	*	13,421	13,421
2008	*	13,096	13,096
2009	*	11,017	11,017
2010	*	10,426	10,426
2011	*	10,827	10,827
2012	*	10,837	10,837
2013	*	10,778	10,778
2014	*	9,744	9,744

Note: * Data are not released due to relatively insignificant value (less than \$10 million).

**National laws applied in the HKSAR
listed in Annex III to the Basic Law**

1. Resolution on the Capital, Calendar, National Anthem and National Flag of the People's Republic of China
2. Resolution on the National Day of the People's Republic of China
3. Declaration of the Government of the People's Republic of China on the Territorial Sea
4. Nationality Law of the People's Republic of China
5. Regulations of the People's Republic of China Concerning Diplomatic Privileges and Immunities
6. Law of the People's Republic of China on the National Flag
7. Regulations of the People's Republic of China concerning Consular Privileges and Immunities.
8. Law of the People's Republic of China on the National Emblem
9. Law of the People's Republic of China on the Territorial Sea and the Contiguous Zone
10. Law of the People's Republic of China on the Garrisoning of the Hong Kong Special Administrative Region
11. Law of the People's Republic of China on the Exclusive Economic Zone and the Continental Shelf
12. Law of the People's Republic of China on Judicial Immunity from Compulsory Measures concerning the Property of Foreign Central Banks

Statistics on the political system

(a) **Number of registered electors and registration rate for geographical constituencies**

Year of publishing the final register of electors	Number of registered electors	Registration rate
2011	3,560,535	75.60%
2012	3,466,201	73.56%
2013	3,471,423	73.17%
2014	3,507,786	73.48%
2015	3,693,942	77.35%

(b) **Average voter turnouts in elections**

	Voter Turnout Rate (%)
(1) 2012 Chief Executive Election	94.89
(2) 2007 Chief Executive Election	99.12
(3) 2011 Election Committee Subsector Elections	27.60
(4) 2006 Election Committee Subsector Elections	27.43
(5) 2005 Election Committee Subsector By-elections	14.95
(6) 2012 Legislative Council General Election	
• <i>Geographical Constituency</i>	53.05
• <i>District Council (Second) Functional Constituency</i>	51.95
• <i>Functional Constituency (other than District Council (Second) Functional Constituency)</i>	69.65
(7) 2010 Legislative Council Geographical Constituency By-election	17.19
(8) 2008 Legislative Council General Election	
• <i>Geographical Constituency</i>	45.20
• <i>Functional Constituency</i>	59.76
(9) 2007 Legislative Council Hong Kong Island Geographical Constituency By-election	52.06
(10) 2015 District Council Ordinary Election	47.01
(11) 2011 District Council Ordinary Election	41.49
(12) 2007 District Council Ordinary Election	38.83
(13) 2005-2015 District Councils By-elections	
• <i>2015 Tai Po District Council San Fu Constituency</i>	42.55
• <i>2014 Islands District Council Peng Chau and Hei Ling Chau Constituency</i>	60.96
• <i>2014 Eastern District Council Nam Fung Constituency</i>	49.49
• <i>2014 Islands District Council Tung Chung North Constituency</i>	40.73
• <i>2014 Southern District Council South Horizons West Constituency</i>	53.65
• <i>2013 Yau Tsim Mong District Council King's Park Constituency</i>	36.62

	Voter Turnout Rate (%)
• <i>2013 Kwun Tong District Council Ping Shek Constituency</i>	44.77
• <i>2013 Sha Tin District Council Tin Sum Constituency</i>	45.40
• <i>2012 Sha Tin District Council On Tai Constituency</i>	39.40
• <i>2011 Tsuen Wan District Council Fuk Loi Constituency</i>	41.32
• <i>2011 Yuen Long District Council Shap Pat Heung North Constituency</i>	26.03
• <i>2010 Southern District Council Pokfulam Constituency</i>	39.47
• <i>2009 Kwai Tsing District Council Kwai Shing East Estate Constituency</i>	38.62
• <i>2009 Wan Chai District Council Canal Road Constituency</i>	25.86
• <i>2009 Sha Tin District Council Tai Wai Constituency</i>	49.02
• <i>2008 Wong Tai Sin District Council Tsz Wan West Constituency</i>	41.34
• <i>2008 Yau Tsim Mong District Council Jordan East Constituency</i>	25.68
• <i>2007 Kowloon City District Council Hung Hom Bay Constituency</i>	20.83
• <i>2007 Tai Po District Council Hong Lok Yuen Constituency</i>	30.78
• <i>2007 Kwun Tong District Council Kai Yip Constituency</i>	46.97
• <i>2007 Sha Tin District Council Kam Ying Constituency</i>	35.35
• <i>2006 Eastern District Council Tsui Wan Constituency</i>	45.39
• <i>2006 Central & Western District Council Centre Street Constituency</i>	36.88
• <i>2005 Kwun Tong District Council King Tin Constituency</i>	37.50
• <i>2005 Southern District Council Ap Lei Chau North Constituency</i>	31.28
• <i>2005 Eastern District Council Fort Street Constituency</i>	28.30
• <i>2005 Sham Shui Po District Council Nam Cheong Central Constituency</i>	33.13

Statistics on crime and the administration of justice

(a) Average length of remand in correctional facilities

	2010	2011	2012	2013	2014
Male	61	66	62	68	77
Female	39	52	47	51	60
All	56	63	59	64	73

Note: Figures refer to the average remand lengths (in number of days) for sentenced persons since they were remanded in CSD until they were sentenced to imprisonment in CSD.

(b) Statistics on sentenced persons

(1) Sentenced persons by type of offence and by sex (as at end of year)

Type of Offence	Male					Female					Total				
	2010	2011	2012	2013	2014	2010	2011	2012	2013	2014	2010	2011	2012	2013	2014
Against Lawful Authority															
Unlawful society	52	49	28	36	21	0	0	1	0	0	52	49	29	36	21
Possession of offensive weapons	11	24	18	13	14	0	1	1	0	1	11	25	19	13	15
Perjury	44	31	30	24	18	52	21	22	38	37	96	52	52	62	55
Others	26	21	41	29	25	2	1	0	3	0	28	22	41	32	25
Sub-total	133	125	117	102	78	54	23	24	41	38	187	148	141	143	116

Type of Offence	Male					Female					Total				
	2010	2011	2012	2013	2014	2010	2011	2012	2013	2014	2010	2011	2012	2013	2014
Against Public Morality															
Rape	67	74	72	73	78	0	2	2	1	1	67	76	74	74	79
Indecent assault	80	75	60	55	54	2	1	0	0	1	82	76	60	55	55
Keeping a vice establishment	60	53	56	42	14	2	3	1	5	3	62	56	57	47	17
Others	92	81	78	88	65	3	1	4	10	6	95	82	82	98	71
Sub-total	299	283	266	258	211	7	7	7	16	11	306	290	273	274	222
Against the Person															
Murder	244	246	245	239	237	11	12	12	12	12	255	258	257	251	249
Manslaughter/Attempted murder	72	75	72	65	61	7	9	10	11	11	79	84	82	76	72
Wounding/Serious assault	253	197	203	207	201	31	27	14	17	15	284	224	217	224	216
Others	75	62	69	70	44	3	3	6	6	3	78	65	75	76	47
Sub-total	644	580	589	581	543	52	51	42	46	41	696	631	631	627	584
Against Property															
Robbery	362	316	305	267	232	6	4	2	5	9	368	320	307	272	241
Burglary	311	315	278	247	244	10	13	13	9	7	321	328	291	256	251
Theft	698	690	721	645	606	211	189	226	202	169	909	879	947	847	775
Others	232	201	157	162	150	31	30	36	27	21	263	231	193	189	171
Sub-total	1 603	1 522	1 461	1 321	1 232	258	236	277	243	206	1 861	1 758	1 738	1 564	1 438
Against the Penal Code															
Possession of forged identity document	196	135	118	105	92	295	155	132	111	87	491	290	250	216	179
Forgery/Counterfeiting	135	110	92	83	63	40	32	26	35	21	175	142	118	118	84

Type of Offence	Male					Female					Total				
	2010	2011	2012	2013	2014	2010	2011	2012	2013	2014	2010	2011	2012	2013	2014
Others	255	233	212	177	117	105	97	84	90	46	360	330	296	267	163
Sub-total	586	478	422	365	272	440	284	242	236	154	1,026	762	664	601	426
Against Local Laws															
Remaining in Hong Kong unlawfully	298	223	251	224	213	186	135	134	102	104	484	358	385	326	317
Breach of condition of stay	131	83	105	58	27	203	107	170	127	100	334	190	275	185	127
Publishing of obscene articles	124	104	119	98	50	5	3	1	5	3	129	107	120	103	53
Soliciting for immoral purpose	2	1	1	3	0	13	14	31	43	25	15	15	32	46	25
Possession of dutiable commodities	52	69	52	63	42	10	14	14	21	18	62	83	66	84	60
Others	499	372	349	336	342	114	85	78	74	72	613	457	427	410	414
Sub-total	1 106	852	877	782	674	531	358	428	372	322	1 637	1 210	1 305	1 154	996
Narcotics Offences															
Trafficking in Dangerous Drugs	1 921	1 945	1 924	2 025	2 046	274	292	329	385	437	2 195	2 237	2 253	2 410	2 483
Possession of Dangerous Drugs	504	519	521	503	432	133	122	125	149	121	637	641	646	652	553
Others	70	71	77	70	58	7	13	10	12	8	77	84	87	82	66
Sub-total	2 495	2 535	2 522	2 598	2 536	414	427	464	546	566	2 909	2 962	2 986	3 144	3 102
Total	6 866	6 375	6 254	6 007	5 546	1 756	1 386	1 484	1 500	1 338	8 622	7 761	7 738	7 507	6 884

Note : Sentenced persons include prisoners and inmates but exclude civil prisoners.

(2) Sentenced persons by type of offence and by age on admission (as at end of year)

Type of Offence	Aged 21 or over					Aged under 21					Total				
	2010	2011	2012	2013	2014	2010	2011	2012	2013	2014	2010	2011	2012	2013	2014
Against Lawful Authority															
Unlawful society	31	35	18	22	12	21	14	11	14	9	52	49	29	36	21
Possession of offensive weapons	7	14	10	8	11	4	11	9	5	4	11	25	19	13	15
Perjury	87	51	50	61	53	9	1	2	1	2	96	52	52	62	55
Others	23	18	27	26	21	5	4	14	6	4	28	22	41	32	25
Sub-total	148	118	105	117	97	39	30	36	26	19	187	148	141	143	116
Against Public Morality															
Rape	62	73	69	69	71	5	3	5	5	8	67	76	74	74	79
Indecent assault	69	63	52	44	48	13	13	8	11	7	82	76	60	55	55
Keeping a vice establishment	61	55	56	46	17	1	1	1	1	0	62	56	57	47	17
Others	72	65	64	78	60	23	17	18	20	11	95	82	82	98	71
Sub-total	264	256	241	237	196	42	34	32	37	26	306	290	273	274	222
Against the Person															
Murder	251	256	256	251	248	4	2	1	0	1	255	258	257	251	249
Manslaughter/Attempted murder	78	82	79	71	67	1	2	3	5	5	79	84	82	76	72
Wounding/Serious assault	219	191	182	170	173	65	33	35	54	43	284	224	217	224	216
Others	75	64	72	70	46	3	1	3	6	1	78	65	75	76	47
Sub-total	623	593	589	562	534	73	38	42	65	50	696	631	631	627	584

Type of Offence	Aged 21 or over					Aged under 21					Total				
	2010	2011	2012	2013	2014	2010	2011	2012	2013	2014	2010	2011	2012	2013	2014
Against Property															
Robbery	321	268	232	228	214	47	52	75	44	27	368	320	307	272	241
Burglary	292	309	277	248	240	29	19	14	8	11	321	328	291	256	251
Theft	853	821	884	784	738	56	58	63	63	37	909	879	947	847	775
Others	225	210	167	166	158	38	21	26	23	13	263	231	193	189	171
Sub-total	1 691	1 608	1 560	1 426	1 350	170	150	178	138	88	1 861	1 758	1 738	1 564	1 438
Against the Penal Code															
Possession of forged identity document	479	285	249	215	178	12	5	1	1	1	491	290	250	216	179
Forgery/Counterfeiting	170	137	116	114	82	5	5	2	4	2	175	142	118	118	84
Others	357	324	292	260	160	3	6	4	7	3	360	330	296	267	163
Sub-total	1 006	746	657	589	420	20	16	7	12	6	1 026	762	664	601	426
Against Local Laws															
Remaining in Hong Kong unlawfully	462	341	381	319	312	22	17	4	7	5	484	358	385	326	317
Breach of condition of stay	323	185	268	180	124	11	5	7	5	3	334	190	275	185	127
Publishing of obscene articles	127	105	116	102	51	2	2	4	1	2	129	107	120	103	53
Soliciting for immoral purpose	15	15	32	46	25	0	0	0	0	0	15	15	32	46	25
Possession of dutiable commodities	60	80	63	78	55	2	3	3	6	5	62	83	66	84	60
Others	542	401	382	380	393	71	56	45	30	21	613	457	427	410	414
Sub-total	1 529	1 127	1 242	1 105	960	108	83	63	49	36	1 637	1 210	1 305	1 154	996

Type of Offence	Aged 21 or over					Aged under 21					Total				
	2010	2011	2012	2013	2014	2010	2011	2012	2013	2014	2010	2011	2012	2013	2014
Narcotics Offences															
Trafficking in dangerous drugs	1 919	1 957	1 992	2 106	2 171	276	280	261	304	312	2 195	2 237	2 253	2 410	2 483
Possession of dangerous drugs	521	534	584	578	516	116	107	62	74	37	637	641	646	652	553
Others	73	79	84	81	64	4	5	3	1	2	77	84	87	82	66
Sub-total	2 513	2 570	2 660	2 765	2 751	396	392	326	379	351	2 909	2 962	2 986	3 144	3 102
Total	7 774	7 018	7 054	6 801	6 308	848	743	684	706	576	8 622	7 761	7 738	7 507	6 884

Note: Sentenced persons include prisoners and inmates but exclude civil prisoners.

(3) Sentenced persons (prisoners only) by length of sentence and by sex (as at end of year)

Length of Sentence	Male					Female					Total				
	2010	2011	2012	2013	2014	2010	2011	2012	2013	2014	2010	2011	2012	2013	2014
Determinate Sentence															
less than 1 month	32	28	16	24	34	39	7	14	9	14	71	35	30	33	48
1 to less than 3 months	187	137	184	136	95	156	87	168	145	100	343	224	352	281	195
3 to less than 6 months	331	254	243	258	170	114	83	87	89	58	445	337	330	347	228
6 to less than 12 months	631	504	482	479	348	200	125	132	147	110	831	629	614	626	458
12 to less than 18 months	777	639	654	560	485	526	334	351	295	260	1 303	973	1005	855	745
18 months to less than 3 years	1 055	1 054	974	828	756	192	195	147	144	125	1 247	1 249	1 121	972	881
3 years	184	160	134	114	109	21	18	11	9	16	205	178	145	123	125
over 3 to 6 years	1 338	1 261	1 194	1 169	1150	119	113	135	154	167	1 457	1 374	1 329	1 323	1 317
over 6 to less than 10 years	505	503	511	512	539	65	83	85	91	100	570	586	596	603	639
10 years and over	594	650	687	753	816	76	101	126	160	183	670	751	813	913	999

Length of Sentence	Male					Female					Total				
	2010	2011	2012	2013	2014	2010	2011	2012	2013	2014	2010	2011	2012	2013	2014
Indeterminate Sentence															
Life (Mandatory)	220	224	224	220	221	11	12	12	11	11	231	236	236	231	232
Life (Discretionary)	21	21	22	20	16	0	0	0	0	0	21	21	22	20	16
Admissions under Mental Health Ordinance/ Criminal Procedure Ordinance	42	46	45	44	46	9	8	10	9	8	51	54	55	53	54
Total	5 917	5 481	5 370	5 117	4 785	1 528	1 166	1 278	1 263	1 152	7 445	6 647	6 648	6 380	5 937

Note : Figures exclude civil prisoners.

(4) Sentenced persons (prisoners only) by length of sentence and by age on admission (as at end of year)

Length of Sentence	Aged 21 or over					Aged under 21					Total				
	2010	2011	2012	2013	2014	2010	2011	2012	2013	2014	2010	2011	2012	2013	2014
Determinate Sentence															
less than 1 month	69	33	28	33	48	2	2	2	0	0	71	35	30	33	48
1 to less than 3 months	332	217	341	274	192	11	7	11	7	3	343	224	352	281	195
3 to less than 6 months	440	334	327	343	227	5	3	3	4	1	445	337	330	347	228
6 to less than 12 months	816	624	608	619	454	15	5	6	7	4	831	629	614	626	458
12 to less than 18 months	1 261	946	991	841	737	42	27	14	14	8	1 303	973	1 005	855	745
18 months to less than 3 years	1 183	1 182	1 070	923	836	64	67	51	49	45	1 247	1 249	1 121	972	881
3 years	179	166	135	114	119	26	12	10	9	6	205	178	145	123	125
over 3 to 6 years	1 327	1 231	1 184	1 193	1 182	130	143	145	130	135	1 457	1 374	1 329	1323	1 317
over 6 to less than 10 years	545	560	569	558	585	25	26	27	45	54	570	586	596	603	639
10 years and over	660	736	799	893	975	10	15	14	20	24	670	751	813	913	999

Length of Sentence	Aged 21 or over					Aged under 21					Total				
	2010	2011	2012	2013	2014	2010	2011	2012	2013	2014	2010	2011	2012	2013	2014
Indeterminate Sentence															
Life (Mandatory)	230	236	236	231	231	1	0	0	0	1	231	236	236	231	232
Life (Discretionary)	20	20	22	20	16	1	1	0	0	0	21	21	22	20	16
Admissions under Mental Health Ordinance/ Criminal Procedure Ordinance	51	54	54	52	53	0	0	1	1	1	51	54	55	53	54
Total	7 113	6 339	6 364	6 094	5 655	332	308	284	286	282	7 445	6 647	6 648	6 380	5 937

Note : Figures exclude civil prisoners.

(c) Death of Persons under custody of the Police and Correctional Services Department (CSD)

(1) Incidence of death in Police custody

Age on Death	Male					Female					Total				
	2010	2011	2012	2013	2014	2010	2011	2012	2013	2014	2010	2011	2012	2013	2014
< 21	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
21 - 30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
31 - 40	0	1	1	0	4	0	0	0	0	1	0	1	1	0	5
41 - 50	1	0	0	0	1	0	0	0	0	0	1	0	0	0	1
51 - 60	2	0	0	1	1	1	0	0	0	0	3	0	0	1	1
61 - 70	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
71 - 80	0	0	0	0	0	0	0	1	0	0	0	0	1	0	0
81 and over	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	3	1	1	1	6	1	0	1	0	1	4	1	2	1	7*

* Four of the deceased were found dead in hospital. They were all sent directly to hospital after arrest, or originally admitted to hospital then being arrested.

(2) Incidence of death in custody of the CSD - by age and sex

Age on Death	Male					Female					Total				
	2010	2011	2012	2013	2014	2010	2011	2012	2013	2014	2010	2011	2012	2013	2014
< 21	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
21 - 30	0	1	1	2	2	1	0	1	0	0	1	1	2	2	2
31 - 40	3	0	2	0	0	0	0	1	0	0	3	0	3	0	0
41 - 50	5	1	4	3	5	0	2	0	0	1	5	3	4	3	6
51 - 60	3	4	2	8	3	0	0	0	2	0	3	4	2	10	3
61 - 70	0	3	3	3	3	0	0	0	0	0	0	3	3	3	3
71 - 80	4	2	1	2	1	0	0	0	0	0	4	2	1	2	1
81 and over	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	15	11	13	18	14	1	2	2	2	1	16	13	15	20	15

Application of International Human Rights Treaties to the HKSAR

Part A : Main international human rights treaties

International Covenant on Economic, Social and Cultural Rights (ICESCR)

By a notification on 20 June 1997, the Government of the People's Republic of China informed the United Nations Secretary-General of the status of Hong Kong in relation to treaties deposited with the Secretary-General. The notification specifically sets out, among other things, that the provisions of the ICESCR as applied to Hong Kong shall remain in force beginning from 1 July 1997.

On 20 April 2001, the Government of the People's Republic of China notified the Secretary-General of the following statement on the application of the Covenant to the HKSAR:

- “1. Article 6 of the Covenant does not preclude the formulation of regulations by the HKSAR for employment restrictions, based on place of birth or residence qualifications, for the purpose of safeguarding the employment opportunities of local workers in the HKSAR.
2. “National federations or confederations” in Article 8.1(b) of the Covenant shall be interpreted, in this case, as “federations or confederations in the HKSAR” and this Article does not imply the right of trade union federations or confederations to form or join political organisations or bodies established outside the HKSAR.”

International Covenant on Civil and Political Rights (ICCPR)

The abovementioned notification of 20 June 1997 from the Government of the People's Republic of China also informed the United Nations Secretary-General that the provisions of ICCPR as applied to Hong Kong shall remain in force beginning from 1 July 1997.

In 1976, the Government of the United Kingdom ratified the Covenant with certain reservations and declarations, and extended the Covenant to Hong Kong. The reservations and declarations which continue to apply to HKSAR are as follows.

Declaration made on signing the Covenant

“First, the Government of the United Kingdom declare their understanding that, by virtue of Article 103 of the Charter of the United Nations, in the event of any conflict between their obligations under Article 1 of the Covenant and their obligations under the Charter (in particular, under Articles 1, 2 and 73 thereof) their obligations under the Charter shall prevail.”

Declarations and reservations made on depositing the instrument of ratification of the Covenant

“Firstly the Government of the United Kingdom maintain their declaration in respect of Article 1 made at the time of signature of the Covenant.”

“The Government of the United Kingdom reserve the right to apply to members of and persons serving with the armed forces of the Crown and to persons lawfully detained in penal establishments of whatever character such laws and procedures as they may from time to time deem to be necessary for the preservation of service and custodial discipline and their acceptance of the provisions of the Covenant is subject to such restrictions as may for these purposes from time to time be authorised by law.”

“Where at any time there is a lack of suitable prison facilities or where the mixing of adults and juveniles is deemed to be mutually beneficial, the Government of the United Kingdom reserve the right not to apply Article 10.2(b) and 10.3 so far as those provisions require juveniles who are detained to be accommodated separately from adults, ...”

“The Government of the United Kingdom reserve the right to interpret the provisions of Article 12.1 relating to the territory of a State as applying separately to each of the territories comprising the United Kingdom and its dependencies.”

“The Government of the United Kingdom reserve the right to continue to apply such immigration legislation governing entry into, stay in and departure from the United Kingdom as they may deem necessary from time to time and, accordingly, their acceptance of Article 12.4 and of the other provisions of the Covenant is subject to the provisions of any such legislation as regards persons not at the time having the right under the law of the United Kingdom to enter and remain in the United Kingdom. The United Kingdom also reserves a similar right in regard to each of its dependent territories.”

“The Government of the United Kingdom reserve the right not to apply Article 13 in Hong Kong in so far as it confers a right of review of a decision to deport an alien and a right to be represented for this purpose before the competent authority.”

“The Government of the United Kingdom interpret Article 20 consistently with the rights conferred by Articles 19 and 21 of the Covenant and having legislated in matters of practical concern in the interests of public order (*ordre public*) reserve the right not to introduce any further legislation. The United Kingdom also reserve a similar right in regard to each of its dependent territories.”

“The Government of the United Kingdom reserve the right to enact such nationality legislation as they may deem necessary from time to time to reserve the acquisition and possession of citizenship under such legislation to those having sufficient connection with the United Kingdom or any of its dependent territories and accordingly their acceptance of Article 24.3 and of the other provisions of the Covenant is subject to the provisions of any such legislation.”

“The Government of the United Kingdom reserve the right not to apply sub-paragraph (b) of Article 25 in so far as it may require the establishment of an elected Executive or Legislative Council in Hong Kong”

International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)

On 10 June 1997, the Government of the People's Republic of China issued a letter to the United Nations Secretary-General giving notification that the ICERD will apply to the HKSAR with effect from 1 July 1997. The Government of the People's Republic of China also made the following declarations:

“The reservation made by the Government of the People's Republic of China to Article 22 of the Convention will also apply to the Hong Kong Special Administrative Region.

The Government of the People's Republic of China on behalf of the Hong Kong Special Administrative Region interprets the requirement in Article 6 concerning “reparation and satisfaction” as being fulfilled if one or other of these forms of redress is made available and interprets “satisfaction” as including any form of redress effective to bring the discriminatory conduct to an end.”

Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)

CEDAW was extended to Hong Kong, with the consent of the People's Republic of China and the United Kingdom, on 14 October 1996. The Government of the People's Republic of China notified the United Nations Secretary-General that the Convention would continue to apply to the HKSAR with effect from 1 July 1997, with the following reservations and declarations :

- “1. The reservation made by the Government of the People's Republic of China to paragraph 1 of Article 29 of the Convention will also apply to the Hong Kong Special Administrative Region.

2. The Government of the People's Republic of China understands, on behalf of the Hong Kong Special Administrative Region, the main purpose of the Convention, in the light of the definition contained in Article 1, to be the reduction, in accordance with its terms, of discrimination against women, and does not therefore regard the Convention as imposing any requirement upon the Hong Kong Special Administrative Region to repeal or modify any of its existing laws, regulations, customs or practices which provide for women to be treated more favourably than men, whether temporarily or in the longer term. Undertakings by the Government of the People's Republic of China on behalf of the Hong Kong Special Administrative Region under Article 4, paragraph 1, and other provisions of the Convention are to be construed accordingly.

3. The Government of the People's Republic of China reserves, for the Hong Kong Special Administrative Region, the right to continue to apply relevant immigration legislation governing the entry into, stay in and departure from the Hong Kong Special Administrative Region as may be deemed necessary from time to time. Accordingly, acceptance of Article 15, paragraph 4, and of the other provisions of the Convention is subject to the provisions of any such legislation as regards persons not at the time having the right under the laws of the Hong Kong Special Administrative Region to enter and remain in the Hong Kong Special Administrative Region.

4. The Government of the People's Republic of China understands, in the light of the definition contained in Article 1, that none of its obligations under the Convention shall be treated as extending to the affairs of religious denominations or orders in the Hong Kong Special Administrative Region.
5. Laws applicable in the New Territories of the Hong Kong Special Administrative Region which enable male indigenous villagers to exercise certain rights in respect of property and which provide for rent concessions in respect of land or property held by indigenous persons or their lawful successors through the male line will continue to be applied.
6. The Government of the People's Republic of China reserves, for the Hong Kong Special Administrative Region, the right to apply all its legislation and the rules of pension schemes affecting retirement pensions, survivors' benefits in relation to death or retirement (including retirement on ground of redundancy), whether or not derived from a social security scheme.

This reservation will apply equally to any future legislation which may modify or replace such aforesaid legislation, or the rules of pension schemes, on the understanding that the terms of such legislation will be compatible with the Government of the People's Republic of China's obligations under the Convention in respect of the Hong Kong Special Administrative Region.

The Government of the People's Republic of China reserves the right for the Hong Kong Special Administrative Region to apply any non-discriminatory requirement for a qualifying period of employment for the application of the provisions contained in Article 11, paragraph 2 of the Convention.

7. The Government of the People's Republic of China understands, on behalf of the Hong Kong Special Administrative Region, the intention of Article 15, paragraph 3, of the Convention to be that only those terms or elements of the contract or other private instrument which are discriminatory in the sense described are to be deemed null and void, but not necessarily the contract or instrument as a whole."

Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)

On 10 June 1997, the Government of the People's Republic of China notified the United Nations Secretary-General that the Convention will apply to the HKSAR with effect from 1 July 1997. The Government of the People's Republic of China also made the following declaration:

- "the reservations made by the Government of the People's Republic of China to article 20 and paragraph 1 of article 30 of the Convention will also apply to the Hong Kong Special Administrative Region."

The aforementioned reservations are:

- "1. The Chinese Government does not recognize the competence of the Committee against Torture as provided for in article 20 of the Convention.
2. The Chinese Government does not consider itself bound by article 30, paragraph 1, of the Convention."

Convention on the Rights of the Child (CRC)

On 10 June 1997, the Government of the People's Republic of China issued a letter to the United Nations Secretary-General and a number of diplomatic notes stating that the reservations and declarations entered by the Government of the People's Republic of China on its ratification of the Convention in 1992 were also applicable to the HKSAR with effect from 1 July 1997. These reservations and declarations were:

- “1. The Government of the People's Republic of China, on behalf of the Hong Kong Special Administrative Region, interprets the Convention as applicable only following a live birth.
2. The Government of the People's Republic of China reserves, for the Hong Kong Special Administrative Region, the right to apply such legislation, in so far as it relates to the entry into, stay in and departure from the Hong Kong Special Administrative Region of those who do not have the right under the laws of the Hong Kong Special Administrative Region to enter and remain in the Hong Kong Special Administrative Region, and to the acquisition and possession of residency as it may deem necessary from time to time.
3. The Government of the People's Republic of China interprets, on behalf of the Hong Kong Special Administrative Region, the references in the Convention to “parents” to mean only those persons who, under the laws of the Hong Kong Special Administrative Region, are treated as parents. This includes cases where the laws regard a child as having only one parent, for example where a child has been adopted by one person only and in certain cases where a child is conceived other than as a result of sexual intercourse by the woman who gives birth to it and she is treated as the only parent.
4. The Government of the People's Republic of China reserves, for the Hong Kong Special Administrative Region, the right not to apply article 32(2)(b) of the Convention in so far as it might require regulation of the hours of employment of young persons who have attained the age of fifteen years in respect of work in non-industrial establishments.

5. The Government of the People's Republic of China, on behalf of the Hong Kong Special Administrative Region, seeks to apply the Convention to the fullest extent to children seeking asylum in the Hong Kong Special Administrative Region except in so far as conditions and resources make full implementation impracticable. In particular, in relation to article 22 of the Convention, the Government of the People's Republic of China reserves the right to continue to apply legislation in the Hong Kong Special Administrative Region governing the detention of children seeking refugee status, the determination of their status and their entry into, stay in and departure from the Hong Kong Special Administrative Region.
6. Where at any time there is a lack of suitable detention facilities, or where the mixing of adults and children is deemed to be mutually beneficial, the Government of the People's Republic of China reserves, for the Hong Kong Special Administrative Region, the right not to apply Article 37(c) of the Convention in so far as those provisions require children who are detained to be accommodated separately from adults."

On 10 April 2003, the Government of the People's Republic of China informed the Secretary-General that it had decided to withdraw its declaration relating to article 22 of the Convention.

Convention on the Rights of Persons with Disabilities (CRPD)

On 1 August 2008, the Government of the People's Republic of China deposited its Instrument of Ratification of CRPD with the United Nations Secretary-General and made the following declarations in respect of the HKSAR:

“In accordance with the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China ..., the Government of the People's Republic of China decides that the Convention shall apply to the Hong Kong Special Administrative Region

The application of the provisions regarding *Liberty of movement and nationality* of the Convention on the Rights of Persons with Disabilities to the Hong Kong Special Administrative Region of the People's Republic of China, shall not change the validity of relevant laws on immigration control and nationality application of the Hong Kong Special Administrative Region of the People's Republic of China.”

The CRPD entered into force for the People's Republic of China, including the HKSAR, on 31 August 2008.

Part B : Other United Nations human rights and related treaties

The following United Nations human rights and related treaties apply to the HKSAR :

- Convention on the Prevention and Punishment of the Crime of Genocide, 1948
- Slavery Convention, 1926
- Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, 1956
- Convention relating to the Status of Stateless Persons, 1954
- United Nations Convention against Transnational Organized Crime, 2000

Part C : Geneva Conventions

The following Geneva Conventions are applicable to HKSAR :

- Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, 1949
- Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, 1949
- Geneva Convention relative to the Treatment of Prisoners of War, 1949
- Geneva Convention relative to the Protection of Civilian Persons in Time of War, 1949

Part D : Conventions of the International Labour Organisation

The following Conventions of the International Labour Organisation apply to the HKSAR:

- Weekly Rest (Industry) Convention, 1921 (No. 14)
- Forced Labour Convention, 1930 (No. 29)
- Labour Inspection Convention, 1947 (No. 81)
- Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)
- Migration for Employment Convention (Revised), 1949 (No. 97)
- Right to Organise and Collective Bargaining Convention, 1949 (No. 98)
- Abolition of Forced Labour Convention, 1957 (No. 105)
- Employment Policy Convention, 1964 (No. 122)
- Minimum Age Convention, 1973 (No. 138)
- Labour Relations (Public Service) Convention, 1978 (No. 151)
- Worst Forms of Child Labour Convention, 1999 (No. 182)

Part E : Conventions of the Hague Conference on Private International Law

The following Conventions of the Hague Conference on Private International Law apply to the HKSAR:

- Convention on Protection of Children and Co-operation in respect of Inter-country Adoption, 1993
- Convention on the Recognition of Divorces and Legal Separations, 1970
- Convention on the Civil Aspects of International Child Abduction, 1980