

**Legislative Council of
the
Hong Kong Special Administrative Region**

**Subcommittee on Rights of Ethnic Minorities
Report**

October 2018

Acronyms and abbreviations

Administrative Guidelines	Administrative Guidelines on Promotion of Racial Equality
B/Ds	government bureaux and departments
CCF	Community Care Fund
CHEER	Centre for Harmony and Enhancement of Ethnic Minority Residents
CIC	Construction Industry Council
CKR	Central Kowloon Route
CMAB	Constitutional and Mainland Affairs Bureau
CNL	the Nationality Law of the People's Republic of China
CoP	Commission on Poverty
CS	Chief Secretary for Administration
DH	Department of Health
DLR	Discrimination Law Review
D of Imm	Director of Immigration
EAA	Estate Agents Authority
EDB	Education Bureau
EM	ethnic minority
EM Unit	Ethnic Minorities Unit
EOC	Equal Opportunities Commission
ERB	Employees Retaining Board
ESA	Employment Services Ambassador
FDH	foreign domestic helper
GCSE	General Certificate of Secondary Education
HA	Hospital Authority

HAD	Home Affairs Department
HC	House Committee
HKCEE	Hong Kong Certificate of Education Examination
HD	Housing Department
HKDSE	Hong Kong Diploma of Secondary Education Examination
HKSAR	Hong Kong Special Administrative Region
iES	Interactive Employment Service
IFSC	Integrated Family Service Centre
ImmD	Immigration Department
ISC	Integrated Services Centre
KG	kindergarten
"Learning Framework"	Chinese Language Curriculum Second Language Learning Framework
LegCo	Legislative Council
LD	Labour Department
LIFA	Low-income Working Family Allowance
MAC	Mutual Aid Committee
NCS	non-Chinese speaking
NGOs	non-governmental organizations
NT	New Territories
PRH	public rental housing
RDO	Race Discrimination Ordinance
SA	South Asian
SEN	special educational needs
SSC	support service centre
SWD	Social Welfare Department

UGC	University Grants Committee
UWU	United Welfare Union Hong Kong Limited
VTC	Vocational Training Council
WFA	Working Family Allowance
WFAO	Working Family Allowance Office of the Working Family and Student Financial Assistance Agency
WoC	Women's Commission

TABLE OF CONTENT

Chapter	Page
I. Introduction	1 - 2
II. Education for ethnic minority children	3 - 10
III. Employment support services for ethnic minorities	11 - 16
IV. Use of public healthcare services by ethnic minorities	17 - 19
V. Housing issues of ethnic minorities	20 - 23
VI. Poverty problem of ethnic minorities	24 - 27
VII. Shortage of venues in districts for ethnic minorities to conduct religious and cultural activities	28 - 30
VIII. Difficulties encountered by ethnic minorities in applying for the Hong Kong Special Administrative Region Passport	31 - 35
IX. Issues relating to ethnic minority women	36 - 39
X. Implementation and review of the Race Discrimination Ordinance	40 - 41
XI. Implementation and review of the Administrative Guidelines on Promotion of Racial Equality	42 - 44
XII. Support Service Centres for Ethnic Minorities	45 - 46
XIII. Steering Committee on Ethnic Minorities and way forward	47
XIV. Recommendations	48 - 54

Appendices

- I. Terms of reference**
- II. Membership list**
- III. List of deputations and individuals that have submitted views to the Subcommittee**
- IV. Motions passed by the Subcommittee and the Administration's response**
- V. Enrolment statistics of dedicated vocational and professional education and training programmes for non-Chinese speaking students by the Vocational Training Council**
- VI. Statistical figures on interpretation services provided by the Hospital Authority in terms of language and hospital clusters**

Chapter I – Introduction

Background

1.1 In 2016, the EM population in Hong Kong, excluding FDHs, stood at 263 593, accounting for 3.6% of the whole population in Hong Kong. Among them, over 80 000 were SAs, including mainly Indians, Nepalese and Pakistanis.¹ Many EMs have settled down or taken roots in Hong Kong for generations and have made valuable contributions to Hong Kong's development.

1.2 RDO was enacted in July 2008 and came into full operation in July 2009. 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. RDO also protects people against harassment and vilification on the ground of their race. EOC is the enforcement agency of RDO and the other three anti-discrimination ordinances.

1.3 Besides, various B/Ds are providing a range of services to meet the needs of EMs and help them adapt to life in Hong Kong, such as educational support for EM students provided by EDB, employment training and support for EMs provided by LD, and social welfare services for EM families in need provided by SWD. While the provision of support services for EMs has been transferred from CMAB to HAD since April 2011, CMAB continues to be responsible for the overall policy on the promotion of racial equality and RDO.

The Subcommittee

1.4 At its meeting on 14 October 2016, HC agreed to set up a subcommittee to conduct focused discussion on issues pertaining to the rights of EMs in Hong Kong and straddling different policy areas. The terms of reference and membership list of the Subcommittee are in **Appendices I** and **II** respectively. Pursuant to rule 26(c) of the House Rules, HC gave approval on 7 July 2017 for the Subcommittee to continue its work until 1 November 2018.

1.5 Hon Paul TSE and Hon Alice MAK were elected as Chairman and Deputy Chairman of the Subcommittee respectively. The Subcommittee has held a total of 17 meetings since November 2016 with the Administration and received views from deputations/individuals at 11 of these meetings. The deputations and individuals that have submitted views to the Subcommittee are listed in **Appendix III**.

¹ Source: 2016 Population By-census conducted by the Census and Statistics Department

1.6 The Subcommittee has passed 14 motions in the course of its deliberation on various issues. The motions passed by the Subcommittee and the Administration's responses are set out in **Appendix IV**.

1.7 The Subcommittee wishes to thank all participants who have attended its meetings to give views and/or provided written submissions, as well as EOC and related NGOs for their contribution to the work of the Subcommittee. All the papers and written submissions provided to the Subcommittee are available at http://www.legco.gov.hk/yr16-17/english/hc/sub_com/hs52/papers/hs52_c.htm.

Chapter II – Education for ethnic minority children

Learning Chinese as a second language

Government's policy

2.1 Members consider that education is an effective means to facilitate upward social movement and integration of EMs into society. Members have urged the Administration to enhance support to NCS students² (notably EM students) in learning Chinese as their Chinese proficiency is crucial to their integration into the community as well as further studies and career pursuits. The Administration has advised that the Government's policy is to help NCS students learn Chinese and to overcome the difficulties in learning Chinese as a second language with a view to enabling them to bridge over to mainstream Chinese Language classes.

Kindergarten admission practices

2.2 Members have all along stressed that NCS students' early start in learning the Chinese language in KGs with an immersed Chinese language environment will facilitate their learning of the Chinese language. Members have drawn the attention of EDB to complaints from EM parents that individual KGs have turned down their applications for admitting their children and these parents are concerned if it is due to their race or their children's Chinese proficiency level.

2.3 According to the Administration, KGs are required to provide assistance to NCS students/parents (such as arranging interpretation services) as far as possible to ensure that their school-based admission mechanism is fair, just and open, and in compliance with the existing legislation as well as relevant circulars and guidelines issued by EDB. EDB has undertaken that it will continue to organize, in collaboration with EOC, briefing sessions for KGs on important points to note in admission. Besides, dedicated briefing sessions on admission (including KG education policy and financial assistance for pre-primary students) will continue to be organized for parents of NCS students. Some members have pointed out that despite the formulation of the relevant guidelines by EDB, it is still necessary for EDB to monitor KGs to ensure their compliance with such guidelines. Hence, some deputations have suggested that EDB should collate statistics relating to KG enrolments, including the number of enrolments and the proportion of EM children among them, their spoken languages at home, whether interpretation services have been used during interviews, etc., with a

² According to the Administration, for the planning of educational support measures, students whose spoken language at home is not Chinese are broadly categorized as NCS students.

view to allowing the Government to have a better understanding of the situation of EMs in applying for admission to local KGs.

Strengthening the professional capability of kindergartens in teaching non-Chinese speaking students Chinese

2.4 Members are concerned whether enhanced school-based professional support services would be provided to help KGs strengthen their professional capability in teaching NCS students Chinese under the free quality KG education policy. The Administration has advised that under the new policy, all KGs can apply for the support services regardless of the number of NCS students admitted. Besides, a grant comparable to the recommended salary of one KG teacher will be provided to KGs admitting eight or more NCS students. The additional resources are aimed to enable KGs to strengthen manpower support and professional training for teachers to help NCS students learn through the Chinese medium, and to strengthen communication with parents of NCS students and enhance home-school cooperation. Some members consider that in respect of KGs which admit less than eight NCS students, they should also be provided additional funding on a pro-rata basis so as to strengthen support for their NCS students.

Encouraging ethnic minority parents to consider schools which can provide an immersed Chinese language learning environment

2.5 At the meetings, members and deputations have also raised their concerns about the prevailing situation where the proportion of EM students in some schools is excessively high. Members are concerned that the Administration has not provided adequate information to assist EM parents in their choice of schools under the Primary One Admission System. The Administration assures members that EDB has been strongly encouraging parents of NCS students, through dedicated briefing sessions (with simultaneous interpretation services) on allocation systems of Primary One and Secondary One school places, etc., to consider schools which can provide more immersed Chinese language learning environment for NCS students. In addition, EDB has translated key information (such as the Parent Information Package and leaflets on KG education, school places allocation systems and support for NCS students) into major EM languages. NCS students and their parents may visit the dedicated website (<http://www.edb.gov.hk/ncs>) or call the hotline (with interpretation services as necessary) for further information about local schools.

2.6 Currently, all schools admitting 10 or more NCS students are provided with additional funding according to the number of NCS students admitted to

enhance the support for them to learn the Chinese language.³ The revised funding arrangement aims to avoid over-concentration of NCS students in certain schools so that NCS students can benefit from an immersed Chinese language environment. Members have suggested that schools provided with the above enhanced funding should upload English reports on the additional support available for their NCS students in the learning of the Chinese language onto the school websites for public information and monitoring by EDB.

2.7 In addition, some members and deputations have pointed out that under the policy of mother-tongue teaching, EM students encounter a lot of difficulties in learning other subjects which are taught in the Chinese language — a language that EM students are not well versed in. The use of Putonghua as the medium of instruction for teaching the Chinese Language subject by some schools has deprived EM students of the only opportunity they have to learn Cantonese.

"Chinese Language Curriculum Second Language Learning Framework"

Learning and teaching resources

2.8 From the 2014-2015 school year, EDB implemented the "Learning Framework" for NCS primary and secondary students with supporting learning and teaching materials to facilitate their effective learning of Chinese as a second language with a view to enabling them to bridge over to mainstream Chinese language classes.

2.9 Members are concerned about the view expressed by some deputations that the "Learning Framework" does not help much to improve the quality of Chinese language learning for NCS students. In particular, deputations have commented that the performance descriptors of the "Learning Framework" are unclear and there is a lack of detailed guidance on pedagogic methods and teaching materials under the "Learning Framework". Members share some

³ The funding model is as follows:

<u>Number of NCS students</u>	<u>Additional funding (\$ million)</u>
10 – 25	0.80
26 – 50	0.95
51 – 75	1.10
76 – 90	1.25
91 or more	1.50

As at November 2016, the provisional number of schools provided with the additional enhanced funding ranging from \$800,000 to \$1,500,000 in the 2016-2017 school year is 213 (including 116 primary and 97 secondary schools).

deputations' views that to help NCS students learn the Chinese language more effectively, the Administration should provide teachers with standard teaching materials, guidelines and assessment tools. A motion for this purpose was passed by the Subcommittee on 12 December 2016.

2.10 The Administration has subsequently informed the Subcommittee that EDB has continued to develop diversified learning and teaching resources such as the "Assessment Tools" and teaching reference materials, including a series on picture book reading, writing, Chinese festivals, etc., which provide teachers with guidance on curriculum planning, learning and teaching, and assessment. Among these materials, EDB has commissioned a tertiary institution to develop a series of teaching materials, including student textbooks, workbooks and teaching reference materials, for NCS students at lower primary levels (i.e. Primary 1 to 3). The full set of teaching materials for the lower primary levels will be made available by August 2019 for teachers' reference and use. EDB will refine the teaching materials as appropriate on the basis of teachers' feedback and further explore the feasibility of developing teaching materials for upper primary levels (i.e. Primary 4 to 6) in collaboration with tertiary institutions.

2.11 Furthermore, EDB has commissioned a tertiary institution to develop, in collaboration with primary schools, eight sets of "textbooks" pegged at Levels 2 and 3 of the "Learning Framework" that are suitable for NCS students of Primary 3 and Primary 4 in general. The first set of "textbooks" for Primary 3 has been published and distributed to NCS students and their schools since mid-December 2017. It has also been uploaded onto EDB's webpage for teachers' trial and comment. The rest of them will be distributed upon completion. However, members are concerned about the effectiveness of the teaching materials in assisting NCS students to integrate into the mainstream syllabus, in order to achieve the policy objectives under the "Learning Framework", namely, enabling them to bridge over to mainstream Chinese language classes and effectively learn the Chinese language.

2.12 The Administration has also advised that EDB will collate quantitative and qualitative data on the progress of NCS students under the "Learning Framework" for analysis. At the curriculum level, EDB will review the "Learning Framework" and fine-tune the learning objectives and details of each Key Stage (i.e. Primary 1 to 3, Primary 4 to 6 and Secondary 1 to 3) having due regard to the overall performance of students where appropriate at an interval of three years. The Administration has undertaken that the initial findings will be reported to LegCo after completion of the collation and analysis of the data and information collected.

Professional development programmes for teachers

2.13 Another major area of concern of members is the need to strengthen the capability of teachers in implementing the "Learning Framework". Members consider that teachers have to be provided with adequate training opportunities to enhance their professional capability in teaching Chinese as a second language.

2.14 The Administration has advised that EDB has been organizing diversified and progressively advanced professional development programmes for teachers to help schools implement the "Learning Framework" and enhance teachers' professional capability of teaching Chinese as a second language. Besides, EDB has commissioned the Education University of Hong Kong to organize a five-week full-time "Certificate in Professional Development Programme on the Teaching of Chinese Language for Non-Chinese Speaking Students" course which includes practicum, sharing and lesson observation. A total of about 50 teachers enrolled in the course in the past three years.⁴ Members have suggested that the Administration should encourage teachers and boost their incentive to enrol for the in-service training programmes on teaching Chinese language as a second language in order to ensure effective implementation of the "Learning Framework".

Funding support for implementation of the "Learning Framework"

2.15 To facilitate implementation of the "Learning Framework", schools admitting 10 or more NCS students are provided with the enhanced funding ranging from \$800,000 to \$1,500,000 per year depending on the number of NCS students to adopt diversified intensive learning and teaching modes as appropriate (such as pull-out teaching, split-class/group learning, after-school consolidation) with a view to helping NCS students bridge over to mainstream Chinese language classes as early as possible (*see footnote 3*).

2.16 The Subcommittee considers the large difference between the amount of additional funding received by schools admitting 10 or more NCS students (from \$800,000 to \$1,500,000 per year) and schools admitting less than 10 (i.e. \$50,000) unfair to the latter. Some members have suggested that the amount of additional funding for those schools admitting less than 10 NCS students can be calculated on a pro-rata basis taking into account the number of their NCS students.

⁴ For more details of the training programmes for Chinese Language teachers teaching NCS students, please refer to LC Paper Nos. CB(2)208/16-17(01) and CB(2)338/16-17(01).

Recognized alternative Chinese Language qualifications

2.17 Members note that alternative qualifications for Chinese language are recognized for eligible NCS students to meet the general entrance requirements for admission to UGC-funded universities.⁵ In 2017, 277 NCS candidates (i.e. about 25.8% of the 1 072 NCS students who took the HKDSE Examination) received offers for admission to post-secondary programmes through the Joint University Programmes Admissions System.

2.18 Some members consider that the level of GCSE (Chinese) is so low as similar to Primary 2 level of the local Chinese curriculum. A number of deputations have spoken from their own experience of studying for GCSE (Chinese) and how this low level of Chinese taught has adversely impacted on their employability and social mobility. They have complained about the lack of a progressive Chinese curriculum to enable NCS students to acquire a higher level of Chinese language skills.

2.19 The Administration has explained that the purpose of the alternative Chinese language examinations is to help NCS students meet the general entrance requirements for admission to UGC-funded universities by acquiring the necessary Chinese language qualifications which would better tie in with their language abilities. As a matter of fact, NCS students vary among themselves in their Chinese language levels, and may have different needs and aspirations in learning Chinese language. On the other hand, the implementation of the "Learning Framework" will help step up the support for NCS students in learning the Chinese language systematically. However, it takes time for the "Learning Framework" to take root and create a sustainable impact on the NCS students. The Administration has advised that in the long run, whether or not there is still a need to allow alternative Chinese Language qualifications for eligible NCS students is subject to further examination.

2.20 While recognizing that the introduction of alternative qualifications for Chinese language has led to improvements in terms of university admission rates

⁵ Internationally recognized alternative Chinese Language qualifications include those under GCSE, International GCSE and General Certificate of Education. The examination fees of these examinations for eligible NCS students are on par with that of HKDSE (Chinese Language) Examination. Needy NCS students may be granted full or half remission of the subsidized examination fees. Eligible NCS students are those who have fulfilled the following specified circumstances:

- (a) students who have learned Chinese Language for less than six years while receiving primary and secondary education; or
- (b) students who have learned Chinese Language for six years or more in schools, but have been taught an adapted and simpler Chinese Language curriculum not normally applicable to the majority of students in local schools.

for NCS students, members are concerned that the Chinese proficiency level of the NCS graduates concerned may not be able to meet job requirements. Some members have suggested that universities should provide Chinese bridging courses for NCS undergraduates to enhance their Chinese proficiency. The Administration has agreed to convey the suggestion to universities for consideration. Members have also passed a motion urging EDB to set learning targets by stages for NCS students in learning the Chinese language, so that these students can bridge over to mainstream classes after attaining a certain stage; and to provide curriculum guides formulated from the perspective of second language learners, which set out the Chinese language level that should be attained by NCS students in different levels of classes. In another motion passed by the Subcommittee, the Administration is urged to set a timetable for formulating the Chinese language as a second language policy.

2.21 Some members have further requested the Administration to consider deputations' suggestion that by making reference to the HKCEE English Language which comprised syllabuses A and B, EDB may consider separating HKDSE Chinese into an easier syllabus and a more difficult one so that NCS students who learn Chinese as a second language can opt for the easier one if needed. They consider that this can allow NCS students to have more options within the HKDSE Chinese syllabus so that they need not choose a much easier alternative Chinese curriculum (e.g. GCSE) that is equivalent to Primary 2 level upon graduation from secondary school. Some members have also suggested that the Administration should consider modifying Paper One of HKDSE (Chinese Language) Examination for NCS students as they in general have genuine difficulties in understanding classical texts.

Special schools admitting NCS students

2.22 Members have pointed out that many NCS students with SEN are studying in mainstream schools or special schools adopting Chinese as the medium of instruction. Members share EOC's concern that due to the language barrier, these students who are not native speakers of Chinese and English may not be diagnosed early or accurately, and may often miss the opportune time for early intervention and support. Members have urged the Administration to address the acute shortage of special schools dedicated to serve NCS students⁶ and follow up on EOC's recommendation that the Government should set up a dedicated unit to look into the educational issues faced by NCS students (including EM students with SEN) in a comprehensive and holistic manner.⁷

⁶ There is only one special school in Hong Kong, namely the Jockey Club Sarah Roe School under the English Schools Foundation, delivering a curriculum in English.

⁷ Submission provided by EOC [LC Paper No. CB(2)368/16-17(01)]

Student financial assistance schemes

2.23 Members support deputations' call for EDB to make improvements in promoting to EM families the student financial assistance schemes applicable to pre-primary, primary and secondary students, and in assisting needy EM parents to apply for such schemes. Members have pointed out that although EDB has translated the "Household Application for Student Financial Assistance Schemes" leaflet into six EM languages, a survey found that only 5.94% of the EM respondents had obtained the leaflets in their first language from the school. It is suggested that form filling sessions should be arranged to assist EM parents to complete the application forms. Moreover, hotlines should be set up for EM parents to enquire about the application procedures and progress. The Administration acknowledges that there is room for further improvement in the dissemination of information and would render further assistance to EM parents.

Chapter III – Employment support services for ethnic minorities

Employment services by the Labour Department

Dedicated services for ethnic minority job seekers

3.1 The Administration has advised that LD provides comprehensive and free employment services to all job seekers (including EMs) through a network of 13 job centres, three industry based recruitment centres, a telephone employment service hotline, the iES website and its mobile application, and numerous vacancy search terminals installed at various locations across the territory. In addition to the general employment services, LD provides the following dedicated services that cater to the needs of EM job seekers:

- (a) special counters⁸ and resource corners for EM job seekers are set up at all job centres to provide them with job referral services and employment information;
- (b) tailor-made employment briefings are organized by all job centres to help EM job seekers better understand the latest labour market situation and improve their job search skills;
- (c) since September 2014, LD has implemented the ESA Programme for EMs under which trainees of the Youth Employment and Training Programme who can communicate in EM languages are employed as ESAs to provide support to LD staff in offering employment services to EM job-seekers;
- (d) EM job seekers may also meet employment officers at all job centres to obtain personalized employment advisory service;
- (e) LD has made arrangements with CHEER, to provide free interpretation services for EM job seekers who speak neither Chinese nor English. Posters in major EM languages are displayed in conspicuous positions inside job centres and industry-based recruitment centres to promote the interpretation services provided by CHEER. Forms in these EM languages are also prepared to introduce the free interpretation services and each EM visitor is invited to sign on the form to ascertain whether or not such services are required; and

⁸ Since July 2008, special counters have been set up at 13 job centres of LD to provide EM job seekers with job referral services. According to LD, special counters are manned by experienced employment officers who are university graduates and proficient in English.

- (f) key information of all job vacancies (e.g. job title, industry, working hours, salary, work district, educational requirements and application procedures) is translated and displayed bilingually on the iES website, its mobile application and vacancy search terminals to facilitate EM job seekers to browse vacancy information.

3.2 The Administration has advised that the promotional leaflets on the aforementioned services are prepared in English and six EM languages. The e-versions of these publications have been uploaded to the Multi-Language Platform of the Gov.HK website and the dedicated webpage for EM job seekers of the iES website.

Promoting ethnic minorities to employers for employment

3.3 Members have urged LD to actively promote the working abilities of EMs among employers through different channels, and remind them to consider the genuine needs of the posts when specifying the language requirements. The Administration has advised that experience sharing sessions are organized for employers to help them better understand the EM cultures and acquire the skills to communicate with them. In addition, since March 2015, LD has added an option of "*Ethnic minorities are welcome for the post*" in its Vacancy Order Form for employers to choose from so as to facilitate employment officers to match EM job seekers to suitable jobs and encourage them to apply for the posts. From March 2015 to February 2018, a total of 14 645 employers who advertised vacancies via LD indicated that EM job seekers were welcome to apply for the posts. From 2015 to 2017, LD organized six large-scale inclusive job fairs and 35 district-based inclusive job fairs at which job seekers (including EMs) could submit job applications and attend interviews with employers on the spot.

3.4 Members, however, are concerned that in 2017, among 1 036 EM job seekers registered for LD's employment services, only 94 placements were secured through LD's referral services. The Administration has explained that job seekers (including EMs) may be placed into employment either through the referral services of LD or by direct application to employers. Job seekers (including EMs) who have found work through direct application are not required to report their employment status to LD. Therefore, LD does not have the placement rate of EM job seekers.

Pilot scheme of engaging two Employment Assistants proficient in ethnic minority languages

3.5 Regarding the ESA Programme for EMs (paragraph 3.1(c) refers), members have pointed out that ESAs are basically trainees under the Youth

Employment and Training Programme and are replaced every six months. Some members consider that it would be more effective for LD to hire EM employment officers, who are conversant with EM languages and cultures, to provide employment services to EM job seekers. After considering the Subcommittee's request, LD has since May 2017 engaged two Employment Assistants proficient in EM languages at the Kowloon West Job Centre in Sham Shui Po and the Employment in One-stop in Tin Shui Wai on a pilot basis to strengthen employment support (e.g. providing personalized employment services) for EM job seekers.

3.6 Members welcome this new initiative but consider it grossly inadequate to engage only two such Employment Assistants. Members have requested that more EM Employment Assistants should be recruited so that they can station at each of LD's job centres. The Administration has advised that LD will evaluate the effectiveness of this pilot initiative and examine its way forward after gathering more experience in employing these two Employment Assistants.

Interpretation service for ethnic minority job seekers

3.7 On the suggestion of the Subcommittee, LD has since January 2017 compiled statistical information on the waiting time for the interpretation service arranged for EM job seekers. It was recorded that in 2017, staff of job centres and industry-based recruitment centres introduced interpretation service to 2 844 EM job seekers. In light of their needs, interpretation services were arranged on 20 occasions and the average waiting time was less than five minutes. Members consider that the usage rate was on the low side, and request LD to introduce the interpretation service to EM job seekers more proactively. Members have suggested that the interpretation service provided over the telephone should be replaced by video conferencing which would be more effective. Members have also suggested that LD should consider hiring in-house interpreters to station at each of its job centres to provide prompt on-the-spot interpretation services to EM job seekers.

Enhancing the multi-cultural sensitivity of frontline staff

3.8 Members are of the view that training should be provided to LD staff to enhance their understanding and sensitivity of the specific needs of EMs. According to the Administration, to raise the multi-cultural sensitivity of its frontline staff (including ESAs), LD invites NGOs serving EMs to deliver talks from time to time on different cultural and religious customs as well as skills in communicating with EMs. Moreover, LD has strengthened collaboration with EOC for the latter to provide training on equal opportunities and multi-culture for staff of job/recruitment centres. The training aims to raise participants' sensitivity to EM cultures and quality of service through case studies. The

Administration advised in February 2017 that EOC would organize a total of eight training sessions for LD to ensure that all the frontline staff of job/recruitment centres (including ESAs) could attend.

Setting up an Ethnic Minorities Employment Division in the Labour Department

3.9 Members consider that as the overall language proficiency of EMs is not as good as that of the general public, it is rather difficult for them to seek employment in Hong Kong. Members have urged LD to make greater efforts to tackle the language barrier and provide tailor-made assistance for EM job seekers. At the meetings on 13 February 2017 and 27 March 2018, the Subcommittee passed two motions urging the Government to set up an EM Employment Division in LD and EM employment centres respectively to better coordinate an effective employment strategy for EMs and provide them with more tailored employment support services.

Increasing government job opportunities for ethnic minorities

3.10 Members consider that there are still too few EMs working in the Government although it has taken some steps to hire more EMs in recent years. In response to members' views, the Government has recently conducted a comprehensive review of the entry requirements relating to Chinese proficiency for all the grades of the civil service. The review sought to ensure that the language requirements of all the grades are commensurate with their job requirements, thereby avoiding unreasonable barrier to EMs in applying for government jobs. After the review, the number of grades in the civil service that have lowered/will lower Chinese language proficiency requirements has increased by 22 to 53.

Labour rights and occupational safety of ethnic minority employees

3.11 Members have requested the Administration to promote awareness of occupational safety and legal protection under the labour law among EM employees/potential employees as suggested by EOC [LC Paper No. CB(2)797/16-17(01)]. Some EM employees have reflected to members that they are not provided with any employment contracts to protect their labour rights under the Employment Ordinance and receive a salary lower than what has been agreed verbally by their employers. Some deputations have also raised concern that most of the public educational information and training courses of the Occupational Safety and Health Council are provided in Chinese only, and EM employees who are not conversant in Chinese are unable to comprehend such information.

3.12 The Administration has informed members that leaflets on labour laws and occupational safety and health have been produced in different EM languages. Besides, LD has collaborated with workers' unions in organizing relevant promotional talks and exhibitions for employees in the construction industry, and lunchtime briefing sessions have been conducted for SA workers in the construction sites. LD has also launched various promotional activities to enhance EMs' understanding of their rights and benefits under labour laws.

Training courses for ethnic minorities

3.13 Some deputations have expressed concern that many skill training courses and trade tests in certain industries are conducted in Chinese. They consider it necessary to provide more vocational and language training opportunities for EMs to raise their employability. Members have sought details of the vocational training courses targeting EMs. According to VTC, it offers dedicated vocational and professional education and training programmes to NCS youth and adults to meet their multifarious training needs. These programmes include diploma courses in business, design, and hotel and tourism for secondary school leavers, Applied Learning courses for senior secondary students, Vocational Development Programmes for non-engaged youth, short courses on basic vocational Chinese and other trades. In response to the Subcommittee's request, the Administration has provided the enrolment statistics of these dedicated programmes in **Appendix V**.

3.14 The Subcommittee also notes that ERB offers training courses targeting non-engaged EM youths aged 15 to 20 under its Youth Training Programme. EMs on completion of placement-tied training courses are provided with a six-month placement follow-up service to help them land on jobs. With a view to assisting upper secondary EM students in formulating future learning and career plans, ERB organizes "Career Talks for School" featuring employer representatives. Some members share EOC's view that more efforts may be made to help EM youths enter the healthcare industry under the Navigation Scheme for Young Persons in Care Services launched by SWD.

3.15 Members note that in 2017-2018, ERB reserved 800 training places to offer a total of 38 dedicated training courses for EMs, including 12 full-time placement-tied training courses and 26 half-day or evening "Skills Upgrading Scheme Plus" and generic skills training courses. ERB also subsidizes training bodies to provide supplementary training materials and learning support services for these EM participants. ERB promotes its services through distributing leaflets in EM languages and reaching out to EM groups.

3.16 Some members are concerned about the assistance provided by ERB to EM participants of their dedicated training courses who have difficulties in understanding English. According to ERB, interpretation services in Nepali, Hindi and Urdu were provided in 21 of the 30 classes of courses dedicated for EMs in 2017-2018. The placement rates of EMs who completed the dedicated placement-tied training courses was 65% in 2017-2018⁹, and they were mainly engaged in a variety of job types¹⁰, earning salaries averaging \$12,400 and \$4,300 for full-time and part-time jobs respectively.

3.17 Members welcome the "EM Skills Enhancement Courses" offered by CIC providing 160 training places and all of them are conducted in English. Some members have called on the vocational training organizations, such as VTC, ERB and CIC, to offer more training courses in English for EMs to enhance their vocational skills. In addition, some members suggested that the Administration should organize skills enhancement courses similar to the "EMs Skills Enhancement Courses" offered by CIC for other industries experiencing shortages of labour, such as transportation and catering. The Administration has agreed to relay the suggestion to relevant bureaux for consideration.

⁹ According to the estimated figures as at June 2018 provided by ERB.

¹⁰ According to ERB, the EM participants concerned were mainly engaged in job types of Cook Assistant, Nail Beautician and Translator/Editor/Proof Reader. Other job types include Cleaning Worker, Packaging Worker, Receptionist, Bookkeeper/Accounts Clerk, Construction Worker, Building Attendant/Security Guard, etc.

Chapter IV – Use of public healthcare services by ethnic minorities

Provision of interpretation services in public hospitals and clinics

4.1 It is the Government policy that the public healthcare system is made available to all members of the public regardless of their race and ethnic origin. The Subcommittee notes that interpretation services for EMs are available in public hospitals and clinics under HA through a service contractor¹¹, part-time court interpreters and consulate offices. Interpretation services are also offered by DH through CHEER or part-time court interpreters.¹² The scope of interpretation service covers languages of many countries such as India, Pakistan, Indonesia, the Philippines, Nepal, Vietnam, Thailand and Japan, etc.

Enhancing interpretation services in public hospitals and clinics

4.2 Members have expressed grave concern about the feedback from some EMs about the long waiting time for on-site interpretation service in public hospitals and clinics. To address the problem, some members have suggested that HA should consider stationing in-house interpreters in each hospital or on a hospital cluster basis (especially in districts where more EM people reside). Some members have also expressed concern that as reflected by EM patients, the frontline staff of HA did not take the initiative to advise them of the availability of interpretation service.

4.3 HA has advised that public hospitals and clinics display in conspicuous locations multilingual posters informing patients of the availability of interpretation services. HA provided emergency interpretation service for 2 309 times in 2012-2016 (up to November 2016). On average, an interpreter was able to arrive within an hour to provide interpretation for EM service users. For urgently arranged telephone interpretation service, the waiting time ranged from about a few minutes to less than half an hour and the average waiting time was 23 minutes.

4.4 According to HA, the option of stationing in-house interpreters has been considered but is not adopted, because most interpreters are conversant with one EM language only, but EM patients who speak different EM languages may visit a hospital at different times of the day. Hence, it is preferable to have a group

¹¹ The interpretation services provided by the service contractor cover 18 languages, including Urdu, Hindi, Punjabi, Nepali, Bahasa Indonesia, Vietnamese, Thai, Korean, Bengali, Japanese, Tagalog, German, French, Sinhala, Spanish, Arabic, Malay and Portuguese.

¹² The list of part-time court interpreters issued by the Judiciary for reference of other government departments covers over 50 languages or dialects.

of about 70 interpreters pooled under one roof to provide language support for different hospitals. Some members, however, consider that HA may establish teams of in-house interpreters to provide interpretation service on a hospital cluster basis, with each team comprising interpreters who speak the more popular EM languages, e.g., Urdu, Nepali, and Punjabi. Within each cluster, the interpreters can be deployed promptly amongst hospitals to meet urgent service needs. At its meeting on 10 April 2017, the Subcommittee further passed a motion for this purpose. Members consider that in-house or part-time interpreters should be hired to accompany doctors to facilitate the treatment of hospitalized EM patients. Members have further suggested that HA should consider including a checkbox in each patient's profile of the Electronic Health Record Sharing System to indicate if the patient requires interpretation service and if it is needed, interpretation service should be arranged in all subsequent medical appointments. HA has agreed to explore the suggestion and will further study the feasibility and detailed operational requirements with stakeholders.

4.5 The Subcommittee has been informed that in 2015-2016, 10 449 sessions of interpretation service were provided to EMs in public hospitals/clinics under HA. However, HA does not keep record of patients' race and is therefore unable to provide the number of EMs seeking medical consultation or the usage rate of the interpretation service for EM patients. Members consider that without such information, it can hardly assess whether or not the interpretation service demands of EM patients are adequately met. The Subcommittee has requested HA to keep record of patients' race for evaluation purpose. Relevant figures on the interpretation services provided by HA in terms of language and hospital clusters are in **Appendix VI**.

Training provided to interpreters

4.6 Some members and deputations are of the view that the interpreters providing interpretation services at public hospitals and clinics should possess adequate medical qualifications and knowledge to provide accurate medical interpretation. According to HA, to enhance the standard of interpretation services provided at public hospitals/clinics, HA has arranged with its service contractor to provide training to the interpreters of the service contractor to equip them with general knowledge on hospital operation, medical terminologies and infection control.

Health education and dissemination of healthcare information

4.7 Some members have stressed that appropriate measures should be put in place to ensure that EMs could receive proper public healthcare services and

health information. They have raised concern that some EM patients are not aware of the availability of subsidized drugs that are desperately needed by the patients. According to the Administration, the health education resources produced by DH to the public are generally in both Chinese and English. Information in other languages, including some minority languages such as Hindi, Nepali, Urdu, Thai, Bahasa Indonesia, Tagalog, etc., is also provided for a number of selected health topics and DH's services.¹³ HA has also advised that it will review the relevant arrangements to ensure that EM patients are provided with the necessary services and information.

4.8 Some members have raised concern that according to a research study on youth and drug related issues, 60% of EM youth respondents displayed a critical lack of knowledge about drugs and their effects. On promoting the understanding of drug abuse issues and health education, the Administration has advised that the Student Health Service of DH launched the Adolescent Health Programme in 2001 aiming to provide quality health promotion services for adolescents using a multi-disciplinary team approach. It is an outreaching service for secondary schools implemented by professional staff including doctors, nurses, dietitians, social workers and clinical psychologists. Topics including sex education, drug abuse, anxiety and adversity management etc. are included in the programme for secondary school students, teachers and parents which are conducted in both Cantonese and English.

¹³ DH services such as child health and parenting, home safety, nutrition, family planning, antenatal and postnatal care, communicable disease prevention, HIV antibody test, etc.

Chapter V – Housing issues of ethnic minorities

Access to public housing services

Measures to facilitate ethnic minorities to apply for public housing

5.1 Members are concerned whether HD has provided adequate language support service to those EMs who cannot communicate in Cantonese or English to ensure that they gain equal access to public housing services. According to the Administration, PRH applicants are not required to indicate their ethnicity in their applications. Based on the names of applicants, the Administration estimated in May 2017 that there were about 4 000 EM PRH applicants, while on-site interpretation had been arranged for 12 times in the previous year for detailed vetting interviews for EM PRH applicants. Members consider that the usage rate of the interpretation service is not in proportion to the number of EM applicants. They have urged HD to promote the service to EM applicants more proactively.

5.2 Members are also concerned whether the letters sent by HD to PRH applicants are available in languages other than Chinese and English. According to the Administration, HD would issue notification letters to PRH applicants in either Chinese or English according to the language used by the applicant in filling out the application form. Besides, interpretation service is provided by CHEER, and EM applicants will be encouraged to resort to it if necessary.¹⁴

Support for ethnic minority public rental housing households

5.3 Members have sought details of the translation support provided by HD for EM PRH households who know neither Chinese nor English. According to the Administration, CHEER is providing telephone interpretation service at the Tuen Mun North District Tenancy Management Office and Tin Yuet Estate Office by using webcams linked with CHEER to facilitate a three-way video conference among staff of HD, EM PRH residents and interpreters. Members have suggested that webcams should also be installed in more estate management offices for the same purpose.

5.4 Some members are concerned about the lack of participation of EM PRH tenants in estate management matters due to the language barrier, and have enquired about the relevant support measures.

¹⁴ According to the Administration, when HD issues notification letters to EM applicants, it will attach an information note written in EM languages to inform applicants of the language support services available at the SSCs (including CHEER).

5.5 According to the Administration, to further strengthen the communication with EM households, the Housing Authority distributes a leaflet in English and EM languages to EM households in PRH estates, with the view to publicizing support services provided by non-profit making organizations funded by the Government. In addition, the Estate Newsletters distributed by the Housing Authority are available in Chinese and English. Estate Management Advisory Committees also partner with NGOs to organize functions on community building to provide opportunities for EM and local residents to build mutual understanding, and to promote a sense of belonging to the community, so as to foster a harmonious relationship in the community. For the more important information about PRH applications, addition and deletion of family members, Marking Scheme for Estate Management Enforcement in Public Housing Estates and Rent Assistance Scheme, summaries are provided in Hindi, Nepali, Urdu, Thai, Bahasa Indonesia and Tagalog.

5.6 To facilitate the daily operation of MACs in PRH estates, HAD has prepared a set of "Model Rules for a MAC in a Public Housing Estate" ("the Model Rules")¹⁵, which provides general guidance for the formation and election of MACs, including the election and appointment of floor representatives. The Model Rules are provided in both Chinese and English. According to the information provided by HAD, up to 28 February 2017, there are 18 EMs appointed as members of MACs, which constitute about 0.2% of the total number of MAC members in PRH estates in Hong Kong.

Allocation of public rental housing flats

5.7 Whilst acknowledging HD's efforts in allocating two adjacent PRH flats for EMs with large households to shorten their waiting time, some members and deputations have raised concern about the higher rent incurred to EM households which are allocated two adjacent PRH flats, rather than one large PRH flat, for EMs with large household sizes. Some members are of the view that the Administration should (a) offer rent assistance to EM PRH households with financial needs; and (b) supply large PRH flats in new PRH projects to cater for EMs with large household sizes.

5.8 The Administration has advised that due to the decreasing household sizes, the largest flat size of newly-built PRH is two bedroom flats (accommodating up to five persons). However, in addition to the option of two adjacent PRH flats, large households could also be allocated with recycled PRH flats in existing estates which are larger in size (for up to nine persons). The Administration

¹⁵ http://www.had.gov.hk/file_manager/docs/Public_Housing_Estate_MR.pdf

has also informed the Subcommittee that each PRH applicant is entitled to three offers in the flat allocation process, so there will be a reasonable chance for the applicant to be allocated with a flat that will suit his/her needs.

Training for staff of the Housing Department

5.9 Members and deputations are of the view that enhanced training should be provided to frontline staff of B/Ds to raise their sensitivity towards the needs of EM. According to the Administration, HD regularly arranges training sessions about ethnic equality, cultural sensitivity and anti-discrimination Ordinances. These training sessions aim at enhancing participants' awareness of equal rights (including key concepts in RDO), cultural diversity and good practice in the provision of public services. From 2014 to 2016, HD organized 28 relevant training programmes with more than 600 trainees.

5.10 In the past four years, the Allocation Section, which is responsible for handling PRH application and allocation, and CHEER have jointly organized four experience sharing and "Interpretation and Translation Services" briefing sessions for about 70 frontline staff. Apart from providing training, HD also arranges experienced staff to share their experience in serving EM PRH applicants with staff newly posted to the Allocation Section.

Private residential rental market

5.11 According to some deputations, some landlords and estate agents are biased against EM tenants of private housing. Members are concerned about the support measures to EMs who have faced difficulties in renting private premises and in handling the tenancy agreements. They have suggested that an English sample of a tenancy agreement could be provided for reference by landlords. The Administration has advised that support measures are provided by the SSCs for EMs, e.g. CHEER would provide interpretation services to EMs. The Administration will collaborate with EAA to promote good tenancy practices to estate agents and landlords through public education.

5.12 There is also a suggestion of compiling a list of estate agents with a track record of providing estate agency services to EM clients for reference by EMs in seeking private accommodation. The Administration has advised that it is not appropriate for EAA, an impartial regulator, to compile such a list lest it would be considered as promoting business for a certain group of estate agents. Besides, from the operational perspective, it is difficult for EAA to verify the accuracy of the information and the so-called track record put forth by the relevant estate agents, or to closely monitor the quality of services provided by these agents to their EM clients. That said, EAA has undertaken to continue to

work with EOC to enhance efforts in educating both estate agents and landlords to avoid committing any discriminatory act in handling property transaction and tenancy matters.

Chapter VI – Poverty problem of ethnic minorities

Poverty situation of ethnic minorities

6.1 According to the Hong Kong Poverty Situation Report on Ethnic Minorities 2016, the EM population in Hong Kong (excluding FDHs) stood at 254 700¹⁶ in 2016. There were 49 400 poor EMs before policy intervention with a poverty rate of 19.4%. The corresponding figures after policy intervention (recurrent cash) decreased to 44 700 persons and 17.6% respectively. Analysed by ethnic group, the poverty risks faced by ethnic groups varied distinctly, with SAs¹⁷ at more severe risk. The post-intervention poverty rate of SAs in 2016 was 23%, which was visibly higher than the 14.7% of the whole population. The size of their poor population (17 900 persons) was also the largest among various ethnic groups.

6.2 The Administration has advised that working poverty characterizes the poverty situation of EMs, mainly because they largely achieve self-reliance through employment but the employment earnings of the poor working population are lower owing to lower educational attainment and skill levels. Furthermore, with generally larger household sizes, such employed persons generally have to shoulder the family burden alone, rendering it more difficult for them to move out of poverty even with employment.¹⁸ Moreover, the unemployment rates among the poor population of some SA groups (such as Pakistanis) are slightly higher than that of the overall poor population.

6.3 According to the Hong Kong Poverty Situation Report on Ethnic Minorities 2016, among SAs, Pakistanis registered a high poverty rate of 56.5% in 2016. Members note that over 80% of poor Pakistani families have five members or above, with an average household size of 5.6 persons. These households usually have only one breadwinner in the family due to a low female labour participation rate of Pakistanis (4%). As regards the poor Nepalese families, housing is their major challenge as two-thirds (69.9%) of them are tenants of private housing. Moreover, there are on average of just 1.1 working member per household and most of them are engaged in elementary occupations.

¹⁶ Refers to the land-based population in domestic households.

¹⁷ In the analysis of the Hong Kong Poverty Situation Report on Ethnic Minorities 2016, SAs include Indians, Pakistanis, Nepalese, Bangladeshis and Sri Lankans.

¹⁸ For SAs, 2016 statistics showed that there were only 1.2 working members to support a household size of as many as 4.2 persons on average in their working poor households (before policy intervention), i.e. each working member had to support 2.6 non-working members on average. Among them, Pakistani households were in the most severe situation (each working member had to support 3.5 family members on average). (*Source: Hong Kong Poverty Situation Report on Ethnic Minorities 2016*)

6.4 Members are also very concerned that some statistics indicate that the unemployment rate of EMs is as high as about 20%.¹⁹ Members consider that assistance and support for EMs in seeking employment should be strengthened.

Strengthening employment and training support for the ethnic minority working poor

6.5 Members have suggested that training and retraining services should be provided to middle-aged EM workers for skills upgrading to enhance their job opportunities. In addition to providing training courses in English in more subject areas by VTC and ERB so as to facilitate skills enhancement of EMs, the Administration should follow up on the allegedly high dropout rates of EM students²⁰ and explore ways to help EM youths better equip themselves for employment. Some members have further suggested that the Government should consider providing incentive to encourage employers in the private sector to hire more EM employees. The Subcommittee has urged LD to take more proactive measures and provide more tailored assistance to EM job seekers as elaborated in Chapter III.

6.6 Members have made suggestions on ways to enhance employment support measures funded by CCF for EMs including subsidizing accreditation of overseas qualification for low-income EMs. In response to members' suggestions, the Administration has informed the Subcommittee that CoP has agreed in May 2017 to launch a CCF assistance programme to subsidize non-local qualification holders with financial needs to apply for qualification assessment for general purpose by the Hong Kong Council for Accreditation of Academic and Vocational Qualifications. The programme is expected to benefit 3 000 persons.

¹⁹ The unemployment rates (before policy intervention) of the poor Pakistanis and Nepalese (18.7% and 17.9% respectively) were slightly higher than that of the overall poor population (16.6%). (*Source: Hong Kong Poverty Situation Report on Ethnic Minorities 2016*)

²⁰ The Subcommittee has enquired about the dropout rate of NCS students after completing junior secondary level. The Administration has replied that under the existing mechanism, schools must report all students' non-attendance and departure cases to EDB. However, schools are not required to indicate whether the students involved are NCS students in their report to EDB. Besides, cases of students' departure involve different factors and some students would resume schooling later. Therefore, the Administration cannot provide the requisite information.

Providing financial assistance to the working-poor ethnic minority households

6.7 Members note that as at May 2017, while there were 2 100 poor SA working households and 2 600 poor SA households with children, only about 870 EM families were granted LIFA, and the number of LIFA applications received fell far short of the Administration's estimation of benefitting 1 000 eligible SA households.²¹ Members also note that the poverty rate of SA households with children was as high as 29.1%.²² Some members have suggested that the six SSCs should assist in filling out LIFA application forms for EMs.

6.8 The Administration has advised that WFAO has taken various measures in assisting low-income working families to apply for LIFA, including arranging briefing sessions about the LIFA Scheme and actively inviting NGOs to refer applicants in need of assistance to WFAO for handling. Since October 2016, WFAO has set up enquiry desks at the lobbies of various Government Office buildings from time to time, and at the Housing Authority Customer Service Centre at Lok Fu daily since November 2016 to handle enquiries about applying for LIFA. WFAO has engaged four NGOs since January 2017 to assist needy EMs in filling out LIFA application forms. Prospective applicants are welcome to call the WFAO's hotline for assistance.

6.9 Effective from 1 April 2018, the LIFA Scheme has been replaced by the WFA Scheme. According to some deputations, many EMs are, however, not aware of the poverty alleviation measures available to them. The Administration has been urged to strengthen publicity and explore what further assistance can be rendered to EMs to help them apply for WFA.

Equal opportunities in gaining access to public services

6.10 Members share the view that public services (e.g. PRH and government subsidies) are effective in alleviating the poverty situation of SA households. However, members note that according to the Hong Kong Poverty Situation Report on Ethnic Minorities 2014 and with regard to "Situation of using various government services", 4 200 respondents (84.5%) indicated that they had "Never used/faced difficulties", while 800 respondents (15.5%) indicated that they

²¹ LIFA was launched in May 2016 to provide cash subsidy to the working poor households. As of June 2017, apart from the family-based basic grant under LIFA, each child would be given a monthly allowance of \$800 or \$400, which would be determined according to the household income. The LIFA Scheme has been replaced by WFA Scheme effective from 1 April 2018.

²² Source: Hong Kong Poverty Situation Report on Ethnic Minorities 2016

"Faced difficulties before" and 400 of them attributed this to the lack of interpretation services. Members consider that the language barrier is an obstacle to EMs in poverty in the use of public services. Members consider that departments concerned should offer better support and explore new measures to enhance EMs' awareness and utilization of public services.

6.11 The Administration has responded that to enhance collaboration within the Government on support for EMs, a steering committee, to be chaired by CS, has been set up to coordinate, review and monitor work in this area. The 2018-2019 Budget has earmarked \$500 million for this purpose. Some members have suggested that representatives of the EM communities should be appointed to the advisory and statutory bodies (e.g. CoP) in formulating strategies to alleviate the poverty of EMs. Members have expressed concern that even after policy intervention, the poverty rates of EMs have still remained high. They have urged the Administration to devise index or indicators for EM poverty alleviation and take active measures to address the specific needs of different ethnic groups having regard to their unemployment and poverty rates.

Chapter VII – Shortage of venues in districts for ethnic minorities to conduct religious and cultural activities

Shortage of venues for conducting religious and cultural activities

7.1 The Subcommittee is concerned that while there are about 300 000 Muslims and about 100 000 Hindus, there are only six mosques (including one inside Stanley Prison) and one Hindu temple, which are all located on Hong Kong Island and in Kowloon.²³ Members are also concerned that apart from the two mosques in Kowloon (both in Yau Tsim Mong), there are no places of worship for Islam in any other Kowloon districts and in NT.²⁴ Some members consider that a mosque should be provided in NT where more than half of the Pakistanis and Indonesians in Hong Kong resided (according to the statistics in 2016). The Subcommittee also notes that there are no places of worship for Hinduism, Sikhism and Judaism in Kowloon and NT,²⁵ and PRHs generally lack venues for EM tenants to conduct religious and cultural activities.

7.2 The Subcommittee has urged the Administration to provide more venues for EMs to conduct religious and cultural activities, particularly in NT West and Lantau (particularly Tung Chung) where many EMs reside. It is noted that due to inadequate venues, the EM groups in Tung Chung have to conduct festivals and cultural activities in public venues and private clubhouses. Meanwhile, many EMs living in PRH in NT West are longing for venues for their cultural and religious activities within their own estates instead of booking community halls/community centres for such purposes. To improve the situation, the Administration is suggested to provide dedicated venues or vacant school premises for EMs to conduct religious, cultural and sports activities. There is a suggestion that schools in NT West may be requested to open up their school facilities for EM organizations to conduct religious, cultural and sports activities as a short-term measure to relieve the shortage of venues for such activities in NT West.

7.3 Some members have suggested that in the long run, the Administration should designate zones in planning new development areas and new PRH for providing religious and cultural facilities for the use by EM organizations. They have also requested the Home Affairs Bureau to make inter-departmental efforts (particularly with HD) to help EMs seek venues for religious and cultural activities within PRH estates and in other areas where EMs reside, and to promote public understanding of the religion and culture of various ethnicities.

²³ Source: Hong Kong Yearbook 2016

²⁴ Source: Fact sheet prepared by the Research Office of the LegCo Secretariat (FS01/17-18)

²⁵ Places of worship for Judaism, Hinduism and Sikhism are available on Hong Kong Island only - Judaism has three main synagogues in the Central & Western District, and Hinduism and Sikhism each has one temple in Wan Chai. (Source: FS01/17-18)

Provision of cricket grounds

7.4 Concern is also raised that while cricket is a very popular sport amongst EM youths, there is a shortage of cricket grounds in Hong Kong. Some members have pointed out that some EM youths may lack information and do not know how to book such facilities. The Administration is requested to provide more cricket grounds and review the relevant booking procedures to facilitate use by EM youths. For example, the restriction that booking has to be made on an organization basis should be lifted.

Difficulties in setting up premises for religious purpose

Sheung Shui Mosque Development Project

7.5 The Subcommittee notes that the Sheung Shui Mosque Development Project has faced delay due to various problems. In particular, some members have raised concern that the local residents had raised objection to the project at the consultation stage for reasons including risks of triggering religious conflicts and causing nuisance to the neighbourhood. These members consider that these reasons reflect the local residents' misconception of the culture and religion of Muslims. In this connection, the Administration is urged to step up public education to eliminate misunderstanding and biases towards EMs, and offer more support to speed up the implementation of the project. Some members also consider it unfair that the land premium for the project is unreasonably large, as compared with the land premium of \$1,000 for similar projects by the Heung Yee Kuk.

7.6 The Administration has clarified that the relevant land plot in Sheung Shui was already granted in 2006 for the project. Under the lease agreement, the operation of the relevant facilities should have commenced within five years, but the Administration has noted that the commencement had been postponed due to some internal difficulties encountered by the grantee. The Administration has undertaken to continue to follow up closely with the grantee.

Ibrahim Mosque

7.7 Members note that the Ibrahim Mosque in Yau Ma Tei had to be returned to the Government by the end of December 2017 to make way for the construction of CKR. UWU, which operated the Mosque, has been in discussion with the Administration for an alternative permanent site or temporary venue for the Mosque. The Administration is requested to make the

best alternative arrangements so as to minimize the impact on worshippers concerned.

7.8 According to the Administration, the site in Yau Ma Tei was leased to UWU under a non-renewable short-term tenancy agreement in 2012 effective in February 2013. Originally, the lease should have expired on 31 December 2014 and the land concerned should be handed over to the Government for the construction of CKR. The lease had in fact been extended to 31 December 2017 due to delay in the implementation of the CKR project. In summer 2017, the Administration received UWU's request for a site search in the Jordan and Yau Ma Tei area. Since no available site in the area could meet UWU's requirements, the Administration asked UWU in late November 2017 to modify its requirements and the Administration would continue its efforts in searching for a suitable site.

Application to develop religious facilities near Kam Sheung Road

7.9 Some members have pointed out that an Islamic group had submitted an application to the Town Planning Board for development of a mosque, a community centre and an Islamic school on an agricultural site near Kam Sheung Road. Concern is raised that the application had, however, faced objection by local residents, with security concerns being one of the reasons. The Administration is urged to make active efforts to dispel such biased attitude of the local residents. The Administration has agreed to provide assistance as appropriate.

Chapter VIII – Difficulties encountered by ethnic minorities in applying for the Hong Kong Special Administrative Region Passport

Applications for Hong Kong Special Administrative Region Passports from ethnic minorities who are non-Chinese citizens

8.1 Under the Hong Kong Special Administrative Region Passports Ordinance (Cap. 539), one of the conditions for the issuance of an HKSAR Passport is that an applicant must be a Chinese citizen.²⁶ Therefore, Hong Kong permanent residents who are EMs and who wish to apply for an HKSAR Passport should first apply for naturalization as a Chinese national, before they can apply for an HKSAR Passport.

8.2 CNL has been applied in HKSAR since 1 July 1997 pursuant to Article 18 of and Annex III to the Basic Law. ImmD is designated as the authority of HKSAR responsible for nationality applications and shall handle all Chinese nationality applications (including processing applications for naturalization as a Chinese national and other related issues) in accordance with CNL and the "Explanations of Some Questions by the Standing Committee of the National People's Congress concerning the implementation of the CNL in HKSAR".²⁷

8.3 Article 7 of CNL states that foreign nationals or stateless persons who are willing to abide by China's constitution and laws and who meet one of the following conditions may be naturalized as a Chinese national upon approval of their applications:

- (a) they are near relatives of Chinese nationals;
- (b) they have settled in China; or
- (c) they have other legitimate reasons.

Any person who meets the requirements of CNL can apply to ImmD for naturalization as a Chinese national. Upon submission of applications, officers of ImmD will brief applicants on the requirements and factors for consideration

²⁶ According to section 3(2) of the Hong Kong Special Administrative Region Passports Ordinance (Cap. 539), D of Imm may issue an HKSAR Passport to an applicant only when he has satisfied all of the following conditions:

- (a) he is a Chinese citizen;
- (b) he is a permanent resident of the HKSAR; and
- (c) he is a holder of a valid HKSAR permanent identity card.

²⁷ The Explanations were made at the 19th Session of the Standing Committee of the eighth National People's Congress on 15 May 1996.

for naturalization as a Chinese national. Applicants may be required to provide other information/documents to support their applications when necessary.

8.4 According to the Administration, in processing an application for naturalization as a Chinese national, ImmD will not only consider whether the applicant meets the relevant requirements stipulated in CNL, but also consider each application on its own merits. In general, the factors to be considered ("the 10 factors") include the following without regard to the race, colour or religion of an applicant:

- (a) whether the applicant has a near relative who is a Chinese national having the right of abode in Hong Kong;
- (b) whether the applicant has the right of abode in Hong Kong;
- (c) whether the applicant's habitual residence is in Hong Kong;
- (d) whether the principal members of the applicant's family (spouse and minor children) are in Hong Kong;
- (e) whether the applicant has a reasonable income to support himself/herself and his/her family;
- (f) whether the applicant has paid taxes in accordance with the law;
- (g) whether the applicant is of good character and sound mind;
- (h) whether the applicant has sufficient knowledge of the Chinese language;
- (i) whether the applicant intends to continue to live in Hong Kong in case the naturalization application is approved; and
- (j) whether there are other legitimate reasons to support the application.

Difficulties encountered by ethnic minority applicants for Chinese nationality and Hong Kong Special Administrative Region Passports

8.5 The Subcommittee notes that many EM consider themselves Hong Kong people alongside their ethnic identity. Some deputations have reported that despite being the second or third generation in Hong Kong, it is still very hard for these EMs to apply for Chinese nationality and the HKSAR Passport.

Amongst the deputations attending the relevant meeting, a Pakistani woman told members that she had resided in Hong Kong for years. She submitted her application to the ImmD but it was rejected after waiting for a year without being given any express reasons of refusal. She was told that she could try again if there was a change in her circumstances, such as marital status and financial situation. Some deputations who were also unsuccessful in their application believe that ethnicity and their precarious financial situation were the main reasons of refusal. The failure for EM residents to obtain the HKSAR Passport has shattered their sense of identity and caused them great anxiety. They are denied the protection enjoyed by HKSAR Passport holders when travelling abroad. Some deputations have indicated that some EM students were denied the opportunities to study abroad because they were unable to obtain either a HKSAR Passport or passport of their ancestral home country. Deputations have criticized the present arrangement unfair and discriminatory, which impacts adversely on EM people's study and employment opportunities.

8.6 Members consider that the process and criteria for vetting and approving applications for naturalization lack transparency as applicants are not given the reasons of refusal. Some deputations have also pointed out that the waiting time for processing applications is unduly long and the timeframe is not known to the applicants, making it a frustrating process for them. Some EM applicants may give up in view of the high application fee (i.e. the application fee is \$3,460 and an applicant is required to pay an initial fee of \$1,730 at the time of application which is non-refundable).

8.7 Members note that with respect to naturalization as a Chinese national, ImmD received a total of 7 789 applications and approved 5 966 in the past five years.²⁸ As regards the reasons for rejecting 1 820-odd applications by ImmD, the Administration has advised that while each application for naturalization as a Chinese national would be considered on its own merits and ImmD would take

²⁸ The breakdown statistics on the most common original nationalities of applicants are as follows:

Original nationality of applicants	2013		2014		2015		2016		2017	
	Number of applications	Number of applications approved	Number of applications	Number of applications approved	Number of applications	Number of applications approved	Number of applications	Number of applications approved	Number of applications	Number of applications approved
Indian	410	362	393	321	373	265	397	301	442	297
Pakistani	287	204	288	215	479	208	464	271	350	276
Indonesian	238	275	224	194	286	181	291	287	239	257
Vietnamese	226	123	164	205	168	120	130	150	133	119
Filipino	126	113	130	106	154	95	139	124	133	109
Others	190	181	259	164	229	143	210	187	237	113
Total	1 477	1 258	1 458	1 205	1 689	1 012	1 631	1 320	1 534	1 171

into account the 10 factors above, ImmD does not maintain statistics on refusal reasons as relevant decisions are made on a combination of factors. Besides, under the Chinese Nationality (Miscellaneous Provisions) Ordinance (Cap. 540), decisions of D of Imm on naturalization applications are not subject to appeals, and reasons for the decisions are not required to be provided. Applicants who are not satisfied with the outcome of an application may request ImmD in writing for reconsideration.²⁹

8.8 Members are very concerned how the Administration has conducted assessments in handling applications for naturalization as Chinese nationals. As assessment on the basis of the 10 factors might involve subjective judgment and individual officers might consider applications differently, members have enquired how assessments on individual applications would be made having regard to the 10 factors, for example, what amounted to "reasonable income", "good character and sound mind", "sufficient knowledge of the Chinese language", etc. Some members consider it unreasonable to impose an income criterion when handling applications from EM people who were born in Hong Kong.

8.9 The Administration has explained that the 10 factors are set out to help applicants understand whether they would be eligible to apply for naturalization under CNL, and the objective is to gain a better understanding of whether the applicants could integrate into Hong Kong, whether Hong Kong is their habitual residence, whether they could support themselves in Hong Kong. On the other hand, "good character" include whether applicants have any criminal conviction record. There is no hard and fast rule with regard to the level of income. According to the Administration, an applicant does not have to meet all the 10 factors and there is also no specific requirement that a certain factor(s) has to be met. Each application for naturalization as a Chinese national would be considered on its own merits.

8.10 Members consider that having a passport is a basic human right, and for EM people who were born in Hong Kong and unable to obtain passports from their ancestral home country should not be left to become stateless. The Subcommittee has pointed out that pursuant to Article 7 of CNL, an applicant would only have to meet one of the stipulated conditions, including those who "have settled in China", in order to get naturalized, and there is no mention of the 10 factors in CNL or whether any of these factors are given heavier weightings. Members have queried the legal basis for putting in place the 10 factors as they are not stipulated in CNL. The Administration has explained

²⁹ According to the Administration, between 2013 and 2017, ImmD has received 26 cases for reconsideration, eight of which have been approved after reconsideration whereas ImmD's decision remained unchanged for the remaining 18 cases.

that section 6(b) of Cap. 540 stipulates that D of Imm "may by regulation make such provisions as the Director may consider requisite or expedient for the better carrying out of any of the provisions of the Nationality Law, as implemented in the Hong Kong Special Administrative Region".

8.11 Members consider that applicants of different ethnicities should enjoy equal rights to apply for the HKSAR Passport. Members are concerned that under the present regime, D of Imm has absolute authority in deciding on applications for naturalization, but is not required to disclose reasons behind the decision and there is no appeal mechanism. Members have urged the Administration to enhance the transparency of the relevant vetting and approving mechanism so that the public may understand the relative importance and how each of the 10 factors is considered in the assessment process.

Chapter IX – Issues relating to ethnic minority women

9.1 Members note that EM women generally have to shoulder domestic duties such as taking care of their family members and household chores, thus the proportion of them participating in the labour market is low. Even among the working female EMs, many are engaged in lower-skilled occupations with a high share of part-timers, thereby having generally lacklustre employment earnings. Members also share EOC's concern that "ethnic minority women are generally considered as one of the most vulnerable groups in Hong Kong due to their cultural and language background... (the) Government should take appropriate measures proactively to empower ethnic minority women to facilitate their integration into the local community".³⁰

Enhancing employment training and support for ethnic minority women

9.2 Members consider that more language and vocational skills training should be provided to EM women to enhance their employability. Members note that ERB reserves 800 training places each year offering dedicated training courses for EMs.³¹ However, only 312 places were taken up and 70 EMs completed the full-time placement-tied courses in 2017-2018. Members have urged ERB to seek ways to boost the participation rate of EMs in these training courses. They have suggested that in scheduling their dedicated training courses, ERB may need to take into consideration the long working hours for some female EM workers and domestic duties of EM women. Members have also requested ERB to provide interpretation services to EM participants of its dedicated training courses who have difficulties in understanding English. According to ERB, interpretation services in Nepali, Hindi and Urdu were provided in 21 of the 30 classes of courses dedicated for EMs in 2017-2018.

9.3 Some members are concerned that some EM women holding non-local professional qualifications are not recognized in Hong Kong such that they encounter difficulties in securing skilled jobs. The Administration has advised that the "Subsidy for persons holding non-local qualifications to conduct qualifications assessment" was provided under CCF for eligible persons (including EMs) with financial needs to apply for qualifications assessment for general purpose conducted by the Hong Kong Council for Accreditation of Academic and Vocational Qualifications.

³⁰ Submission provided by EOC [LC Paper No. CB(2)850/13-14(08)]

³¹ The dedicated training courses for EMs include full-time placement-tied training courses and half-day or evening non-placement-tied "Skills Upgrading Scheme Plus" and generic skills training courses.

9.4 Deputations have reflected that some EM women want to work but they have to look after their children. Some members have suggested that the Administration should conduct a study by way of focus groups to look into whether EM women want to work and how support measures can be enhanced (e.g. child care services) for them. The Subcommittee has urged the Administration to strengthen the day child care services so that more EM women can enter the workforce and/or spare time to participate in skill and language training programmes.

9.5 In view of the shortage of manpower in the healthcare industry and the lack of dedicated elderly homes for EMs, some members have suggested that appropriate training can be provided to EM women to enable them to work in the healthcare sector and to become elderly home care workers serving EMs. ERB has advised that apart from the dedicated training courses for EMs, it would select suitable healthcare service courses for developing English training materials in 2018-2019 to assist EM women who can speak and comprehend Chinese to take up jobs in healthcare service through training.

Facilitating access to welfare services

9.6 Members note from deputations that some needy EM women and their families may not be familiar with the application procedures of the WFA Scheme and the family support services provided by the Government. They are concerned that whether the outreach efforts targeting EMs made by WFAO, and IFSCs and ISCs of SWD are sufficient. The Administration has advised that measures to assist EMs in applying for WFA included arranging general briefing sessions and with the consent of relevant schools, setting up enquiry counters on campus to introduce WFA to EM students and their parents. The Administration has also advised that apart from arranging volunteers to reach out to the needy EM families and encourage them to receive services under the Family Support Scheme, SWD has assigned a designated person in each administrative district to render internal support to district colleagues for providing welfare services to EMs.

Protection of foreign domestic helpers and ethnic minority domestic violence cases

9.7 Some members have expressed concern about the lack of support services for EM women (including the 370 000 FDHs in Hong Kong) in the above areas. They have urged the Administration to follow up on EOC's recommendations that:

- (a) an exception should be made for FDHs to be allowed public healthcare when they have a labour or employment case pending and are unable to leave Hong Kong despite termination or cancellation of contracts; and
- (b) SWD should collect systematic data on EM domestic violence cases as this is essential in analysing the nature of the problems and thereby tailoring solutions accordingly.³²

9.8 The Administration has advised that various frontline units of SWD, such as IFSCs, ISCs, the Family and Child Protective Services Units, and the Medical Social Services Units would render the appropriate assistance to FDHs in need. Welfare services are also provided to pregnant FDHs as appropriate. The Administration has advised that SWD has been collecting the relevant data relating to EM domestic violence cases.

Facilitating integration of ethnic minority women into the community

9.9 Some members are concerned that some EM women who do not understand Chinese or English are difficult to integrate into the Hong Kong community. They have enquired about the measures taken by the Administration in this regard. The Administration has advised that, apart from the implementation of the Administrative Guidelines, various support services are provided by LD, ERB and HAD to EMs in need. Starting from 2014-2015, CMAB has been providing a recurrent funding of \$4.69 million to EOC for enhancing the EOC's publicity and education programmes on RDO. EOC has since set up an EM Unit to promote equal opportunities for EMs, including EM women, through advocacy, training and promotional efforts. Besides, CMAB provided an additional provision of \$3 million to the EM Unit in 2017-2018 for promoting equal opportunities for EMs. The EM Unit has all along been committed to helping EM women integrate into our community. To this end, a number of leadership groups, including one on Pakistani women and another on Sikh women, were formed in 2017 within these communities with the objective of creating a team of ambassadors who can raise awareness and provide information on equal opportunities to community members as well as channel feedback to EOC on their concerns.

9.10 In addition, as at May 2018, amongst the 21 non-official members of WoC, one member is an EM woman. WoC has initiated, among other things, the Capacity Building Mileage Programme since 2004 to encourage women of different backgrounds and educational levels to pursue lifelong learning and

³² Submission provided by EOC [LC Paper No. CB(2)1527/17-18(01)]

self-development. To encourage EM women to empower themselves through self-learning, the Programme has offered some courses in English since March 2013.

Chapter X – Implementation and review of the Race Discrimination Ordinance

Scope of the application of the Race Discrimination Ordinance

10.1 Some members have expressed grave concern that in RDO, there is no provision, as in the three other anti-discrimination ordinances, which states that it is unlawful for the Government to discriminate against persons on grounds of their race in the performance of its functions or the exercise of its powers. These members have pointed out that the judgment of *Arjun Singh v. the Secretary for Justice* revealed that there is no protection from racial discrimination under RDO in relation to various Government functions and powers exercised by Government departments such as the Police. They have pointed out that back in 2009, the relevant United Nations Committee on the Elimination of Racial Discrimination has recommended that all Government functions and powers should be brought within the scope of RDO and the same recommendation is also made by EOC under DLR (i.e. DLR recommendation 6).³³

10.2 The Administration has explained that RDO binds the Government and specifically prohibits discriminatory acts and practices of the Government in all areas prescribed in RDO, such as employment; education; the provision of goods, facilities or services; and the disposal or management of premises. Moreover, the Hong Kong Bill of Rights Ordinance (Cap. 383) prohibits the Government and public authorities from practising discrimination on the ground of race.³⁴

Repealing the exceptions permitting discrimination relating to vocational training and education

10.3 Some members have pointed out that English and Chinese are both official languages of Hong Kong and enjoy equal status. They consider it necessary for the Administration to repeal the provisions regarding vocational training and education in relation to modifying or making different arrangements for medium of instruction under sections 20(2) and 26(2) of RDO (i.e. DLR recommendations 9 and 10), in order to address the difficulties encountered by NCS students in vocational training and education due to the medium of

³³ EOC carried out a review and submitted its report on DLR to the Government in 2016. The report contained a total of 73 recommendations, including 27 which are considered by EOC to be of higher priority.

³⁴ Please refer to the Administration's paper for a more detailed response [LC Paper No. CB(2)1789/17-18(01)]. The paper was provided to the Panel on Constitutional Affairs in July 2018 in response to a motion passed by the Panel urging the Administration to amend RDO to extend its scope to cover all Government functions and powers.

instruction. Members have also urged the Administration to ensure that more vocational training courses should be conducted in English to cater for NCS students.

Overall response of the Administration

10.4 The Administration has advised that the abovementioned recommendations would likely have impact across multiple domains and policy areas, and the Administration would need more time for consideration. Among the 27 recommendations that are of higher priority, the Administration intends to focus on those that are relatively less complex or controversial at this juncture, with a view to taking forward necessary legislative amendments in a step-by-step manner. The Administration has already decided to first take forward nine of the recommendations of priority (seven of which involve amendments to RDO) that the Administration considers to be capable of forging consensus among stakeholders and society.³⁵ The Administration plans to submit the legislative amendment proposals covering the nine recommendations of priority in the form of a composite bill to LegCo in the 2018-2019 legislative session.³⁶ Meanwhile, the Administration will continue to eliminate racial discrimination and promote equal opportunities for EMs through public education and publicity as well as the application of the Administrative Guidelines.

³⁵ The nine recommendations of priority under DLR include recommendations 5, 7, 8, 15-19 and 22. For more details, please refer to LC Paper No. CB(2)1615/17-18(03).

³⁶ The Administration subsequently informed the Panel on Constitutional Affairs at its meeting on 22 June 2018 that amongst the nine recommendations of priority, the proposal to provide protection from sexual, disability and racial harassment between tenants and/or sub-tenants occupying the same premise (DLR recommendation 18) would need to be further considered. The Administration planned to first proceed with the remaining eight prioritized recommendations, which will be covered in the bill to be introduced into LegCo in the 2018-2019 legislative session.

Chapter XI – Implementation and review of the Administrative Guidelines on Promotion of Racial Equality

11.1 CMAB issued the Administrative Guidelines in 2010 to provide general guidance to relevant B/Ds and public authorities ("relevant authorities") to promote racial equality and ensure equal access to public services in the key areas concerned, and to take this into account in the formulation, implementation and review of relevant policies and measures. In accordance with the Administrative Guidelines, relevant authorities have drawn up checklists of measures that would assist in promoting racial equality and equal access to key public services.³⁷ CMAB is responsible for coordinating and maintaining an overview on the implementation of the Administrative Guidelines in the Government as a whole.

Implementation and effectiveness of the Administrative Guidelines

11.2 The Subcommittee notes that the scope of application of the Administrative Guidelines has been extended from 14 in 2010 to 23 relevant authorities.³⁸ Members are concerned that the adoption of the Administrative Guidelines by the relevant authorities is merely voluntary, and the lack of a proper complaint and reporting mechanism has undermined the effectiveness of the Administrative Guidelines in safeguarding EMs' equal access to public services. They also share deputations' concern that the monitoring of the compliance with the Administrative Guidelines is inadequate, resulting that EMs in Hong Kong are unfairly treated in gaining access to public services. The Administration has been urged to make compliance with the Administrative Guidelines mandatory, and to extend the scope of application of the Administrative Guidelines to cover all public authorities.

11.3 The Administration has advised that the Administrative Guidelines are administrative in nature and relevant authorities are required to comply. CMAB and relevant authorities will continue to keep the Administrative Guidelines under regular review, especially in the context of how to enhance existing measures and introduce new measures that would promote racial equality. Any non-compliance with the Administrative Guidelines by the

³⁷ The checklists are uploaded onto the CMAB website and available in six EM languages (http://www.cmab.gov.hk/en/issues/equal_agpre.htm).

³⁸ The 23 relevant authorities are EDB, SWD, LD, HAD, ERB, VTC, the Food and Health Bureau, DH, HA, CIC, the Office of the Government Chief Information Officer, the Innovation and Technology Commission, the Office of the Communications Authority, HD, the Hong Kong Observatory, the Post Office, the Legal Aid Department, the Hong Kong Police Force, the Correctional Services Department, the Customs and Excise Department, ImmD, the Fire Services Department, and the Registration and Electoral Office.

relevant authorities may constitute maladministration and relevant complaints could be lodged to The Ombudsman. Members have suggested that the Administration should make it a statutory obligation to comply with the Administrative Guidelines.

Collection of data and setting indicators for service provision to ethnic minorities

11.4 Members are concerned that some departments/public bodies (e.g. HA) have indicated that they do not keep record of service users' races to avoid allegations of racial discrimination. Members, however, consider it necessary for relevant authorities to keep such data, which would be useful for evaluating how far the needs of EMs under their respective policy areas are met. The Subcommittee has passed a motion urging the Administration to draw up guidelines on data collection for promoting racial equality. Members have suggested that the feedback of EMs and stakeholders concerned should be gauged by relevant authorities to seek continuous improvement to their services and the implementation of the Administrative Guidelines. The Administration is also requested to set up a high-level committee responsible for monitoring the implementation of the Administrative Guidelines as well as policies and measures to promote racial equality.

Provision of interpretation services to ethnic minorities

11.5 Members are concerned whether relevant authorities have arranged interpretation services for EMs in accordance with the requirements of the Administrative Guidelines. Some deputations have reflected that some frontline staff of government departments just ask EMs to bring along their friends or relatives who speak Chinese to do the translation for them. In particular, members note with concern the low usage rates of interpretation services by HD and SWD and have enquired whether HD issues notification letters to PRH applicants in Chinese only. Members have suggested that LD and SWD should hire EM staff to provide services to EMs, and resident interpreters should be provided at each hospital/clinic under HA. To ensure the quality of the interpretation services, members have requested the Administration to explore providing interpretation services across relevant authorities centrally.

11.6 The Administration has advised that relevant authorities have all along been providing specific services, such as interpretation services, to meet the practical needs of EMs under their respective policy areas. Since the interpretation needs of EMs vary depending on what public services they seek,

relevant authorities will consider the actual situation and adopt suitable procedures to provide interpretation services to EMs in need. Nevertheless, CMAB will coordinate with relevant authorities to see whether there is room for improvement in the provision of interpretation services to EMs and explore the feasibility of drawing up standard guidelines and procedures for interpretation services. In this respect, CMAB has provided an additional allocation of \$3 million to the EM Unit of EOC in 2017-2018. The EM Unit will embark on a series of initiatives for the purpose of promoting equal opportunities for EMs including the one on exploring the prospect of introducing accreditation for interpreters of EM languages.

11.7 To promote equal opportunities for EMs in accessing public services, some members have suggested that CMAB should set up a one-stop platform for translation and interpretation services for EMs seeking Government services at different departments and public authorities. In this connection, the Subcommittee has passed a motion urging the Administration to consider providing a GovHK-style translation and interpretation services to facilitate EMs.

Chapter XII – Support Service Centres for Ethnic Minorities

12.1 Since 2009, the Government has commissioned NGOs to run six SSCs for EMs in Wan Chai, Kwun Tong, Tuen Mun, Yuen Long, Yau Tsim Mong and Kwai Chung, as well as two sub-centres in Sham Shui Po and Tung Chung, providing various tailor-made learning classes (e.g. Cantonese classes) and after-school tutorial classes, as well as counselling and referral services, integration programmes, interpretation services, etc., for EMs to facilitate their integration into the community. Among them, CHEER (the SSC in Kwun Tong) operated by the Hong Kong Christian Service provides general interpretation and translation services in addition to a variety of basic services.

Services provided by the Support Service Centres

Interpretation services

12.2 The Subcommittee notes that the interpretation services provided by CHEER consist mainly of instant telephone interpretation and enquiry services. Depending on the availability of resources, on-site interpretation or simultaneous interpretation services can also be arranged. At present, there are 17 EMs working in CHEER responsible for providing a variety of services, including interpretation and translation services. According to the Administration, almost all of the telephone interpretation and enquiry cases were handled instantly. Over 90% of on-site interpretation services were performed on the date requested by the user departments while the rest were performed after rescheduling.

12.3 Some members have suggested that the Government should provide more funding for CHEER to enhance its interpretation services. There is another view that interpretation services should be provided by all SSCs. Some members consider that more EMs should be employed by SSCs to strengthen their services for EMs so as to facilitate their integration into the community.

After-school tutorials and integration programmes

12.4 Some depositions are of the view that the provision of tutorial classes offered at SSCs should be enhanced, since many EM students have to rely on these tutorial classes to catch up with the level taught at school. It is considered that the tutorial classes should tailor for the specific needs of EM students. At the request of the Subcommittee, the Administration has provided details of the tutorial classes provided by SSCs in 2015-2016 [LC Paper No. CB(2)1315/16-17(02)].

12.5 Some members have expressed concern about the effectiveness of some programmes (such as carnivals and dance performances) implemented by SSCs in promoting EMs' social integration. According to the Administration, SSCs also organize Cantonese classes to meet EMs' daily needs and facilitate their communication with local residents, as well as dedicated programmes for EMs to expand their social networks. HAD will continue to closely monitor the operation and performance of SSCs through collecting feedback from the community and other monitoring mechanisms such as reports and users' evaluation of the activities of SSCs. According to the Administration, the feedback from service users and EM communities are, in general, positive and assuring. The Administration has undertaken that it will review and adjust the services of SSCs for EMs from time to time to better suit the needs of EMs.

Other suggestions

12.6 According to some deputations, many EM residents are not aware of the services provided by SSCs and the Administration should step up its promotion efforts. There is also a suggestion that all the information on the SSCs' websites should be provided in EM languages in addition to English. Some members have also suggested that the Administration should consider setting up an SSC in NT East to meet service demands there. The Administration has advised that the review of funding support for SSCs is carried out every two years. Factors such as rents, rates, staff salaries and inflation are considered in reviewing the financial provision to ensure that SSCs would have sufficient resources to deliver their services.

12.7 Expressing concern that quite a number of EM people are unable to complete application forms for various public services (such as PRH and various poverty alleviation programmes) because many EM people are not conversant in English or Chinese, some members have suggested that the services provided by the six SSCs should include completing application forms for EMs where necessary. The Administration has advised that staff of SSCs would assist EMs in applying for allowances as far as practicable, such as providing interpretation services and helping them to enquire with the concerned departments if necessary. However, staff of SSCs are unable to bear the responsibility that come with completing application forms for EM applicants. It is therefore considered inappropriate for the staff of SSCs to complete the application forms for the applicants.

Chapter XIII – Steering Committee on Ethnic Minorities and way forward

Steering Committee on Ethnic Minorities

13.1 In the 2018-2019 Budget, the Financial Secretary announced that to enhance collaboration within the Government on support for EMs, CS would set up a steering committee to coordinate, review and monitor work in this area. The Government would also earmark \$500 million to strengthen support for EMs.

13.2 The Subcommittee held a meeting to receive views from deputations on the work of the Steering Committee on Ethnic Minorities. Expressing high hopes for the Steering Committee, members have requested the Steering Committee to come up with proactive measures to fundamentally address the long-standing problems faced by EMs, safeguard their right to equality and protect them against racial discrimination. Specifically, members have requested the Steering Committee to proactively engage with EM groups and related organizations to listen to their views and suggestions, formulate long-term policies to meet their aspirations and set performance indicators for its work. A motion for this purpose has been passed.

13.3 Members have also stressed that the Steering Committee should seek to enhance the transparency of its work. Members have passed another motion calling for the Government to appoint EMs and persons who are concerned about the rights of EMs to the Steering Committee, which only comprises official members.

Way forward

13.4 Members and deputations welcome the setting up of the long-awaited Steering Committee on Ethnic Minorities. The Administration has advised that the Steering Committee will be a coordinated platform within the Government to drive cross-departmental efforts to review and formulate policies and initiatives and monitor their implementation. It will continue to engage EM representatives and stakeholders on an on-going basis.

13.5 Members note that the Steering Committee will draw up measures with the use of the \$500 million earmarked to strengthen support services for EMs. According to the Administration, announcement on the measures will be made as soon as they are ready around the third quarter of 2018. The Administration will be requested to report details of the new measures to the relevant Panels for follow-up.

Chapter XIV – Recommendations

14.1 The Subcommittee recommends that the Administration and relevant authorities should:

Education for ethnic minority children (Chapter II)

- (a) follow up on the three motions passed by the Subcommittee (see **Appendix IV**);
- (b) step up monitoring of the admission procedures of KGs to ensure equal opportunities for all children regardless of their race and eliminate practices that will place NCS children at a disadvantage;
- (c) consider providing enhanced funding for KGs admitting less than eight NCS students and for primary/secondary schools admitting less than 10 NCS students on a pro-rata basis with reference to the number of NCS students admitted;
- (d) provide cultural sensitivity training for all teachers and encourage Chinese language teachers teaching NCS students to enrol in training programmes on teaching Chinese as a second language;
- (e) follow up on the suggestion that universities should provide Chinese bridging courses for NCS undergraduates to enhance their Chinese proficiency;
- (f) address concern raised by deputations about the practice of separating NCS students from Chinese students during Chinese lessons in schools, which has hindered NCS students in their efforts to learn Chinese;
- (g) tackle the problem that the HKDSE (Chinese Language) Examination is generally considered too difficult for NCS students while the level of alternative Chinese curriculum (e.g. GCSE) is too low. One suggestion is to separate HKDSE Chinese into an easier syllabus and a more difficult one so that NCS students can opt for the easier one if needed, and modify Paper One of HKDSE (Chinese Language) Examination such that NCS students will not be required to study Chinese classical texts;
- (h) address the acute shortage of special schools dedicated to serve NCS students and set up a dedicated unit in EDB to look into the

educational issues facing NCS students (including those with SEN);

- (i) promote to EM families the student financial assistance schemes and assist EM parents in the application (e.g. organizing form filling sessions in schools and setting up EM enquiry hotlines);
- (j) consider collating statistics relating to KG enrolments, including the number of enrolments and the proportion of EM children among them, their spoken languages at home, whether interpretation services have been used during interviews, etc.;
- (k) publicize the contents and report the progress of the research framework of the "Learning Framework", so as to enhance the transparency of policy formulation;
- (l) provide support for those EM students who have to use the Chinese language as the medium to learn other subjects in mainstream schools;
- (m) provide EM students studying in schools using Putonghua as the medium of instruction for teaching the Chinese Language subject with the alternative of using Cantonese to learn the Chinese Language subject;
- (n) review and revise Box 7 of and Appendix 3 to the Application Form for Admission to Primary One — Box 7 indicates that the applicant child "cannot use Chinese as learning medium", while Appendix 3 is a list of schools "traditionally admitting more NCS students";
- (o) enhance the provision of teacher training relating to life planning education for EM students, and the organization of related support activities for parents and students;

Employment support services for ethnic minorities (Chapter III)

- (p) follow up on the two motions passed by the Subcommittee (see **Appendix IV**);
- (q) review the effectiveness of the employment services provided by LD and recruit sufficient EM Employment Assistants to station at each of LD's job centres;

- (r) strengthen the provision of interpretation services for EM job seekers, e.g. stepping up promotion of the interpretation services, replacing the interpretation services provided over the telephone by video conferencing, and hiring in-house interpreters to provide interpretation services;
- (s) monitor whether the language requirements in job advertisements posted by employers are based on genuine job requirements and discuss with employers concerned to ascertain if the language requirements stated are justified;
- (t) introduce measures to provide incentive for employers to hire more EM people, such as by providing wage subsidies;
- (u) take the lead in hiring EMs as civil servants to enhance their job opportunities. In particular, Government departments which provide services to EMs e.g. SWD, LD, HD, EDB and DH, should recruit more EM staff to facilitate communication with EM service users;
- (v) implement EM ambassador programmes, similar to the ESA Programme for EMs of LD, in other Government departments to offer more on-the-job training opportunities for EM youths;
- (w) promote awareness of EM employees of occupational safety and protection under the labour law;
- (x) enhance the employability of EMs by providing appropriate job-related training (e.g. courses to enhance their Chinese language proficiency) and providing more vocational training programmes which are conducted in English;
- (y) organize skills enhancement courses for EMs in respect of industries experiencing shortages of labour, such as transportation, catering, and healthcare industries;

Use of public healthcare services by ethnic minorities (Chapter IV)

- (z) follow up on the motion passed by the Subcommittee (see **Appendix IV**);
- (aa) hire in-house or part-time interpreters to accompany doctors during treatment of hospitalized EM patients;

- (bb) keep records of patients' race for evaluation of the adequacy of interpretation services for EMs and to facilitate studies on EMs' healthcare needs;
- (cc) take on board the recommendations of EOC that (i) clear guidelines and protocol on when and how to offer and arrange interpretation services for EM patients should be drawn up for dissemination to all HA staff, and (ii) a designated office at an easily accessible and identifiable location should be provided at individual hospitals for coordinating all requests for interpreters³⁹;
- (dd) provide EM languages alongside Chinese and English in the automated General Out-patient Clinic Telephone Appointment System under HA;
- (ee) ensure that EMs who require interpretation services are provided with interpreters throughout their stay in the public hospitals/clinics;
- (ff) strengthen publicity on health education messages targeting EMs;

Housing issues of ethnic minorities (Chapter V)

- (gg) promote interpretation services to EM PRH applicants and look into the reasons of the low usage rate of the interpretation services as reported by HD;
- (hh) provide large PRH flats to meet SAs' (who are characterized by large families) demands for such flats;
- (ii) install webcams in more estate management offices to facilitate the provision of a three-way video conference among staff, EM sitting tenants and the interpreter;
- (jj) provide translation of HD notification letters for EM PRH applicants as well as notification templates in English for the EM sitting tenants;
- (kk) step up support measures in collaboration with EAA to tackle discrimination faced by EMs in renting private accommodation (e.g. promoting good tenancy practices to estate agents and

³⁹ Please see submission provided by EOC [LC Paper No. CB(2)1148/16-17(02)].

landlords through public education, and providing an English sample of a tenancy agreement for reference by landlords);

Poverty problem of ethnic minorities (Chapter VI)

- (ll) consider appointing an EM representative(s) to CoP to help formulate strategies to alleviate the poverty of EMs;
- (mm) strengthen employment support and vocational training for EMs to enhance their employability;
- (nn) explore new measures to enhance EMs' awareness and utilization of public services in light of the findings of the report on the Study on EMs' Awareness and Satisfaction towards Selected Public Services;
- (oo) explore measures to facilitate EMs to apply for financial assistance schemes (e.g. WFA and student financial assistance schemes);
- (pp) devise index or indicators for EM poverty alleviation and address the specific needs of different ethnic groups having regard to their unemployment and poverty rates;

Shortage of venues in districts for ethnic minorities to conduct religious and cultural activities (Chapter VII)

- (qq) address the shortage of places of worship for EMs in various districts;
- (rr) strengthen public education efforts to dispel biased attitudes towards EMs and promote understanding of their religion and culture;
- (ss) adopt a policy such that the development plan of new development areas should include religious and cultural venues for use by EM organizations, and such venues should also be provided in the development of new PRHs;
- (tt) address the shortage of cricket grounds and facilitate booking of such facilities;
- (uu) render the necessary support to religious bodies (including EM organizations) concerned to speed up the development of new religious facilities and facilitate their searches for suitable venues for such facilities;

Difficulties encountered by ethnic minorities in applying for the Hong Kong Special Administrative Region Passport (Chapter VIII)

- (vv) enhance the transparency of the vetting and approving mechanism for application for naturalization and review the 10 factors considered by ImmD in the light of operational experience;

Issues relating to ethnic minority women (Chapter IX)

- (ww) enhance the provision of language and vocational training for EM women to enhance their employability and facilitate their integration into community;
- (xx) strengthen day child care services for EMs;

Implementation and review of the Race Discrimination Ordinance (Chapter X)

- (yy) follow up on the three motions passed by the Subcommittee (see **Appendix IV**);
- (zz) repeal the provisions regarding vocational training and education in relation to modifying or making different arrangements for medium of instruction under sections 20(2) and 26(2) of RDO as recommended by EOC under DLR;

Implementation and review of the Administrative Guidelines on Promotion of Racial Equality (Chapter XI)

- (aaa) follow up on the three motions passed by the Subcommittee (see **Appendix IV**);
- (bbb) draw up standard guidelines and procedures for the provision of interpretation services for EMs at various departments;
- (ccc) publish the usage rates of the interpretations services provided to EMs by relevant authorities, and gauge the feedback of EMs to seek continuous improvement to the interpretation services and the implementation of the Guidelines;
- (ddd) extend the scope of the Administrative Guidelines to cover all public authorities, and step up publicity of the Administrative Guidelines;

- (eee) make compliance with the Guidelines mandatory and submit implementation reports on the Administrative Guidelines to the relevant Panel at regular intervals;
- (fff) consider a suggestion of making it a statutory obligation to comply with the Administrative Guidelines;

Support Service Centres for Ethnic Minorities (Chapter XII)

- (ggg) enhance funding support for SSCs and arrange all SSCs to provide interpretation services for EMs to facilitate their access to public services;
- (hhh) evaluate the effectiveness of the programmes organized by SSCs in fostering social integration;
- (iii) consider setting up an SSC in NT East where no SSCs are provided; and

Steering Committee on Ethnic Minorities and way forward (Chapter XIII)

- (jjj) follow up on the two motions passed by the Subcommittee (see **Appendix IV**).

Subcommittee on Rights of Ethnic Minorities

Terms of reference

To study and follow up policies and measures relating to ethnic minority issues in Hong Kong and make timely recommendations.

Subcommittee on Rights of Ethnic Minorities

Membership list*

Chairman	Hon Paul TSE Wai-chun, JP
Deputy Chairman	Hon Alice MAK Mei-kuen, BBS, JP
Members	Hon Abraham SHEK Lai-him, GBS, JP Hon Claudia MO Hon LEUNG Che-cheung, SBS, MH, JP Hon KWOK Wai-keung, JP Hon Dennis KWOK Wing-hang Dr Hon Fernando CHEUNG Chiu-hung Dr Hon Helena WONG Pik-wan Hon IP Kin-yuen Hon POON Siu-ping, BBS, MH Dr Hon CHIANG Lai-wan, SBS, JP Hon Andrew WAN Siu-kin Hon CHU Hoi-dick Dr Hon Junius HO Kwan-yiu, JP Hon Holden CHOW Ho-ding Hon SHIU Ka-chun Hon Vincent CHENG Wing-shun, MH Total : 18 Members
Clerk	Ms Joanne MAK
Legal Adviser	Miss Evelyn LEE
Date	3 July 2018

* Changes in membership are shown in Annex to Appendix II.

Annex to Appendix II

Subcommittee on Rights of Ethnic Minorities

Changes in membership

Member	Relevant date
Hon Jimmy NG Wing-ka, JP	Up to 7 November 2016
Hon CHAN Chun-ying, JP	Up to 6 December 2016
Hon Dennis KWOK Wing-hang	Since 12 December 2016
Hon SHIU Ka-fai	Up to 9 January 2018
Hon Vincent CHENG Wing-shun, MH	Since 29 March 2018

少數族裔權益事宜小組委員會
Subcommittee on Rights of Ethnic Minorities

曾向小組委員會表達意見的團體/個別人士名單
List of organizations/individuals which/who have
submitted views to the Subcommittee

<u>名稱</u>	<u>Name</u>
* 1. A group of concerned ethnic minority parents from Kwai Tsing	A group of concerned ethnic minority parents from Kwai Tsing
* 2. A group of concerned ethnic minority parents from Yau Ma Tei	A group of concerned ethnic minority parents from Yau Ma Tei
3. A.I.M. Group	A.I.M. Group
4. Abbas ARIF 先生	Mr Abbas ARIF
5. Abdull Ghafar KHAN (Phillip KHAN) 先生	Mr Abdull Ghafar KHAN (Phillip KHAN)
6. Abeer TAFAZZUL 女士	Mrs Abeer TAFAZZUL
7. Ali MASOOR 先生	Mr Ali MASOOR
8. Amarpal SINGH 先生	Mr Amarpal SINGH
9. Amina KHAN 女士	Ms Amina KHAN
10. Anatolia Cultural and Dialog Center Limited	Anatolia Cultural and Dialog Center Limited
* 11. Aqsa Ramzan	Aqsa Ramzan
12. Arlin L RAI 女士	Ms Arlin L RAI
13. Basnet PANKAJ 先生	Mr Basnet PANKAJ
14. Bethel Mission Church Ltd	Bethel Mission Church Ltd
15. Bhattal Iban KAUR 小姐	Miss Bhattal Iban KAUR
16. Bhujel DALBAHADUR 先生	Mr Bhujel DALBAHADUR
17. Bibi MARIAM 女士	Ms Bibi MARIAM
18. Bidya SHRESTHA 女士	Ms Bidya SHRESTHA
19. Bushra KHALIQ 女士	Ms Bushra KHALIQ
20. Carlitos-L ESCUETA 先生	Mr Carlitos-L ESCUETA

21.	Catholic Workers Centre	Catholic Workers Centre
22.	Centre for Comparative and Public Law, Faculty of Law, University of Hong Kong	Centre for Comparative and Public Law, Faculty of Law, University of Hong Kong
23.	Chinese as a Second Language Concern Group	Chinese as a Second Language Concern Group
24.	Cleaning Worker Union	Cleaning Worker Union
25.	Concern Group for Ethnic Minorities Employment	Concern Group for Ethnic Minorities Employment
26.	Danilo REYES ANDRES 先生	Mr Danilo REYES ANDRES
27.	Dawat-e-Islami, Hong Kong	Dawat-e-Islami, Hong Kong
28.	Denselle Rose Sena LANCION 女士	Ms Denselle Rose Sena LANCION
* 29.	Diversity of Voice	Diversity of Voice
30.	Dr Chitra SIVAKUMAR	Dr Chitra SIVAKUMAR
31.	EAG Group	EAG Group
32.	EduTable 基金會	EduTable Foundation
33.	EM Employment Group	EM Employment Group
34.	EM Group for Employment	EM Group for Employment
35.	EM NTK Housing Concern Group	EM NTK Housing Concern Group
36.	EM NTK Social Concern Group	EM NTK Social Concern Group
37.	Employment Concern Group	Employment Concern Group
38.	Employment Concern Group EM	Employment Concern Group EM
* 39.	EM-Power Up - Women Concern Group	EM-Power Up - Women Concern Group
40.	English Mini Genius	English Mini Genius
41.	Equal Access Group	Equal Access Group
42.	Equal Access Group Core (Ladies)	Equal Access Group Core (Ladies)
43.	Equal Accessibility Group (2)	Equal Accessibility Group (2)
44.	Ethnic Minorities Employment Concern	Ethnic Minorities Employment Concern
45.	Ethnic Minorities Employment Concern Group in Kwai Chung	Ethnic Minorities Employment Concern Group in Kwai Chung
46.	Ethnic Minorities Rights Concern Group	Ethnic Minorities Rights Concern Group

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| 47. Farah BEGUM 女士 | Miss Farah BEGUM |
| 48. Fariha Salma Deiya BAKAR 女士 | Ms Fariha Salma Deiya BAKAR |
| 49. Gizem ARAT 小姐 | Miss Gizem ARAT |
| 50. Global Social Services Ltd. | Global Social Services Ltd. |
| 51. Gurdev Singh SAHOTA 先生 | Mr Gurdev Singh SAHOTA |
| 52. Habiba ASLAM UMME 女士 | Ms Habiba ASLAM UMME |
| 53. Health Connection | Health Connection |
| 54. Hey Group | Hey Group |
| 55. Hong Kong Islamic Culture and Welfare Society | Hong Kong Islamic Culture and Welfare Society |
| 56. Hussain ISMA 女士 | Ms Hussain ISMA |
| 57. Ilyas MOHAMMAD 先生 | Mr Ilyas MOHAMMAD |
| 58. Iqra QUNWAL 女士 | Ms Iqra QUNWAL |
| 59. Ishaque Ali Sarker MOHAMMAD 先生 | Mr Ishaque Ali Sarker MOHAMMAD |
| 60. Kamajit KAUR 女士 | Ms Kamajit KAUR |
| 61. Khalid Mohmood KHAN 先生 | Mr Khalid Mohmood KHAN |
| 62. Khan ASIF 先生 | Mr Khan ASIF |
| 63. Kristeen Anne ROMERO 女士 | Ms Kristeen Anne ROMERO |
| 64. Kumar Anoj ROKKA 先生 | Mr Kumar Anoj ROKKA |
| 65. Kwai Chung Ethnic Minorities Concern Group | Kwai Chung Ethnic Minorities Concern Group |
| 66. Kwai Chung Ethnic Minorities Rights Concern Group | Kwai Chung Ethnic Minorities Rights Concern Group |
| 67. Kwai Tsuen Tsing Ethnic Minorities Concern Group | Kwai Tsuen Tsing Ethnic Minorities Concern Group |
| 68. Lamia Sreya RAHMAN 女士 | Ms Lamia Sreya RAHMAN |
| 69. Lang Tombong CEESAY 先生 | Mr Lang Tombong CEESAY |
| 70. LINK Centre | LINK Centre |
| 71. Luisa CASTRO 女士 | Ms Luisa CASTRO |

72.	Mahek Binod SINGH 小姐	Miss Mahek Binod SINGH
73.	Malik ANSAH 女士	Miss Malik ANSAH
74.	Margaret HOLMES 女士	Ms Margaret HOLMES
75.	Masood Ijaz MOHAMMAD 先生	Mr Masood Ijaz MOHAMMAD
76.	Mohammad Asif KHAN 先生	Mr Mohammad Asif KHAN
77.	Mohsin KHAN 先生	Mr Mohsin KHAN
78.	Nargas Sultana SHAKOOR 小姐	Miss Nargas Sultana SHAKOOR
79.	Naseem AKHTAR 女士	Mrs Naseem AKHTAR
80.	Nebra YOUNIS 女士	Ms Nebra YOUNIS
81.	Nepalese Christian Council Hong Kong Ltd	Nepalese Christian Council Hong Kong Ltd
82.	Nepali Social Service Hong Kong	Nepali Social Service Hong Kong
83.	Nimisha VANDAN 女士	Ms Nimisha VANDAN
84.	Nimrah Bibi KHAN 女士	Ms Nimrah Bibi KHAN
85.	Noreen ASGHAR 小姐	Miss Noreen ASGHAR
86.	Parents Concern Group	Parents Concern Group
87.	PathFinders Limited	PathFinders Limited
88.	Payal BISWAS 女士	Ms Payal BISWAS
89.	Pir KHAN 先生	Mr Pir KHAN
90.	Puja Kapai PARYANI 女士	Ms Puja Kapai PARYANI
91.	Rabia ASLAM 女士	Ms Rabia ASLAM
92.	Rabia RIAZ 小姐	Miss Rabia RIAZ
93.	Raheel SIRAJ 先生	Mr Raheel SIRAJ
* 94.	Ranvana Mohammed Rex	Ranvana Mohammed Rex
95.	Refugee Union Hong Kong	Refugee Union Hong Kong
96.	Royal SUNAR 先生	Mr Royal SUNAR
97.	Rubilyn Bajado GABAYAN 小姐	Miss Rubilyn Bajado GABAYAN
98.	Sahara Parveen MUHAMMAD 女士	Ms Sahara Parveen MUHAMMAD

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| * 99. Sakina GHULAM 女士 | Ms Sakina GHULAM |
| 100. Salma Saghir ASLAM UMME 女士 | Ms Salma Saghir ASLAM UMME |
| * 101. Sapkota PRATIVA 小姐 | Miss Sapkota PRATIVA |
| 102. Saseendran ANJALY 女士 | Ms Saseendran ANJALY |
| 103. Shabana AKBAR 女士 | Mrs Shabana AKBAR |
| 104. Shakquil Andres MOHAMMAD 先生 | Mr Shakquil Andres MOHAMMAD |
| 105. Shama MASHROOR 女士 | Ms Shama MASHROOR |
| 106. Sharmila GURUNG 女士 | Miss Sharmila GURUNG |
| 107. Shoaib HUSSAIN 先生 | Mr Shoaib HUSSAIN |
| 108. Shweta ANAND 女士 | Ms Shweta ANAND |
| 109. Siddhartha DATTA 先生 | Mr Siddhartha DATTA |
| 110. Sirjana RAI 女士 | Ms Sirjana RAI |
| 111. Society for Community Integration | Society for Community Integration |
| 112. Society for Cultural Integration | Society for Cultural Integration |
| 113. Sri Lankan Buddhist Cultural Centre | Sri Lankan Buddhist Cultural Centre |
| 114. Superwomen Group | Superwomen Group |
| 115. Suskihanna GURUNG 女士 | Ms Suskihanna GURUNG |
| 116. Syed M AGHA 先生 | Mr Syed M AGHA |
| 117. Syed Shakeel AHMED 先生 | Mr Syed Shakeel AHMED |
| 118. Syyeda Muneeba AGHA 小姐 | Miss Syyeda Muneeba AGHA |
| 119. Tahreem YOUNUS 女士 | Mrs Tahreem YOUNUS |
| 120. The Incorporated Trustees of the Islamic Community Fund of Hong Kong | The Incorporated Trustees of the Islamic Community Fund of Hong Kong |
| * 121. To Kwa Wan Employment Concern Group | To Kwa Wan Employment Concern Group |
| 122. ToKwaWan Ekta Housing Concern Group | ToKwaWan Ekta Housing Concern Group |
| 123. Translate For Her (THEM) | Translate For Her (THEM) |
| 124. Trisha TRAN 女士 | Ms Trisha TRAN |

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| 125. Umme Habiba ASLAM 女士 | Ms Umme Habiba ASLAM |
| 126. Umme Salma Saghir ASLAM 女士 | Ms Umme Salma Saghir ASLAM |
| 127. United Muslim Association of Hong Kong | United Muslim Association of Hong Kong |
| 128. United Welfare Union Hong Kong Limited | United Welfare Union Hong Kong Limited |
| * 129. Voices of Diversity | Voices of Diversity |
| 130. We Are Superwomen | We Are Superwomen |
| 131. We Superwomen | We Superwomen |
| 132. WHY 先生 | Mr WHY |
| 133. Women Concern Group | Women Concern Group |
| 134. Women Support Group | Women Support Group |
| 135. Women's International Guild | Women's International Guild |
| 136. Yasmeen ZAHIRA 女士 | Ms Yasmeen ZAHIRA |
| 137. Younis NEBRA 女士 | Ms Younis NEBRA |
| 138. Zafroon MEHVISH 女士 | Ms Zafroon MEHVISH |
| 139. Zubair MUHAMMAD 先生 | Mr Zubair MUHAMMAD |
| * 140. 一位有教授及支援非華裔學生的經驗的同工 | 一位有教授及支援非華裔學生的經驗的同工 |
| 141. 工黨 | Labour Party |
| 142. 仁愛堂社區中心 | Yan Oi Tong Community Centre |
| 143. 元朗區議會議員麥業成先生 | Mr MAK Ip-sing, member of Yuen Long District Council |
| 144. 公民黨 | The Civic Party |
| 145. 天主教香港教區—教區勞工牧民中心(九龍) | Catholic Diocese of Hong Kong – Diocesan Pastoral Centre for Workers (Kowloon) |
| 146. 少數族裔就業關注組 | Ethnic Minorities Employment Concern Group |
| 147. 少數族裔關懷協會 | Caring For Ethnic Minorities Organization |
| 148. 屯門社區網絡 | Tuen Mun Community Network |

149. 支持香港	Support Hong Kong
150. 文宣學社	Mansyun Association
151. 方浩喬先生	Mr FONG Ho-kiu
152. 王丹萍博士	Dr WANG Danping
153. 王旭明先生	Mr WONG Yuk-ming
* 154. 王宏宇先生	Mr WANG Hong-yu
155. 平等機會委員會	Equal Opportunities Commission
156. 民主建港協進聯盟	Democratic Alliance for the Betterment and Progress of Hong Kong
* 157. 民主陣線	Democratic Alliance
* 158. 民主黨	Democratic Party
159. 自由黨	Liberal Party
160. 自由黨經濟小組	Economy Panel of the Liberal Party
* 161. 西貢區議會議員何民傑先生	Mr HO Man-kit, Raymond, member of Sai Kung District Council
162. 何弘達先生	Mr HO Wang-tat
163. 扶輪大嶼山社會服務團	Rotary Lautau Community Service Corps
* 164. 李錦權先生	李錦權先生
165. 周諾恆先生	Mr CHOW Now-hang
166. 坭水工會	坭水工會
167. 社民聯	Alliance of Social Democrats
168. 社區前進	Community March
169. 社會主義行動	Socialist Action
170. 社會主義難民行動	社會主義難民行動
171. 社會民主連線	The League of Social Democrats
172. 金屬棚架工會	金屬棚架工會
* 173. 前線中學老師	前線中學老師
* 174. 南區區議會議員司馬文先生	Mr Paulus Johannes ZIMMERMAN, member of Southern District Council

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| 175. 珍古德協會(香港) | The Jane Goodall Institute (Hong Kong) |
| * 176. 香港中文大學李兆麟博士 | Dr LEE Siu-lun, The Chinese University of Hong Kong |
| 177. 香港天主教勞工事務委員會 | Hong Kong Catholic Commission for Labour Affairs |
| 178. 香港弘愛會 | Hong Kong Ample Love Society Ltd. |
| 179. 香港社區網絡 | Hong Kong Community Network |
| 180. 香港社會服務聯會 | The Hong Kong Council of Social Service |
| 181. 香港建造業總工會 | Hong Kong Construction Industry Employees General Union |
| 182. 香港基督教服務處 | Hong Kong Christian Service |
| 183. 香港基督教服務處(長者核心業務) | Hong Kong Christian Service (Elderly Core Business) |
| 184. 香港婦女勞工協會 | Hong Kong Women Workers' Association |
| * 185. 香港教育大學 Bob ADAMSON 教授 | Professor Bob ADAMSON,
The Education University of Hong Kong |
| 186. 香港教育專業人員協會 | Hong Kong Professional Teachers' Union |
| * 187. 香港語言學學會 | The Linguistic Society of Hong Kong |
| 188. 香港樂施會 | Oxfam Hong Kong |
| 189. 香港融樂會 | Hong Kong Unison |
| 190. 夏浩彬先生 | Mr HAR Ho-pan |
| 191. 浸信會愛羣社會服務處 | Baptist Oi Kwan Social Service |
| 192. 馬亞山先生 | Mr Azan MARWAH |
| 193. 馬雲祺先生 | Mr MA Wan-ki |
| * 194. 啟勵扶青會 | KELY Support Group |
| * 195. 國協子民友好會議 | The Commonwealth's Roundtable |
| 196. 張茂清先生 | Mr CHEUNG Mau-ching |
| 197. 梁洛天先生 | Mr Oscar LEUNG Lok-tin |
| 198. 梁國雄先生 | Mr LEUNG Kwok-hung |

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| 199. 梁詠婷小姐 | Miss LEUNG Wing-ting |
| 200. 陳文威先生 | Mr CHAN Man-wai |
| 201. 陳永言先生 | Mr CHAN Wing-yin |
| 202. 陳思琪小姐 | Miss CHAN Sze-ki |
| 203. 陳浩輝先生 | Mr CHAN Ho-fai |
| 204. 陳嘉朗先生 | Mr Leslie CHAN Ka-long |
| 205. 麥朗惟先生 | Mr MAK Long-wai |
| 206. 黃正心小姐 | Miss WONG Ching-sum |
| 207. 黃樂容女士 | Ms WONG Lok-yung |
| 208. 慈樂邨居民協會 | Tsz Lok Estate Resident Association |
| 209. 新民黨 | New People's Party |
| * 210. 葵青區少數族裔人士支援服務中心代表 | 葵青區少數族裔人士支援服務中心代表 |
| 211. 劉澤浚先生 | Mr LAU Chak-chun |
| 212. 潘永樂先生 | Mr POON Wing-lok |
| 213. 蔡蓓文小姐 | Miss TSOI Sin-man |
| 214. 黎俊健先生 | Mr Anthony LAI |
| 215. 盧善姿小姐 | Miss LO Sin-chi |
| 216. 霍漢橋先生 | Mr FOK Hon-kiu |
| * 217. 嶺南大學文化研究系副教授梁旭明教授 | 嶺南大學文化研究系副教授梁旭明教授 |
| 218. 鄭文碩先生 | Mr KWONG Man-shek |
| 219. 醫護行者 | Health In Action |
| 220. 離島區議會議員傅曉琳小姐 | Miss Sammi FU, member of Islands District Council |
| 221. 關注婦女性暴力協會 | Association Concerning Sexual Violence Against Women |

* 只提交意見書
provided submissions only

Subcommittee on Rights of Ethnic Minorities

Motions passed by the Subcommittee and the Administration's response

<u>Meeting date</u>	<u>Motion and the Administration's response</u>
Education for ethnic minority children (Chapter II)	
12 December 2016	<p>"This Subcommittee urges the Administration to formulate a set of clear and objective value-for-money indicators for the 'Chinese Language Curriculum Second Language Learning Framework' in order to monitor its effectiveness and provide improvement plans. In respect of the 'Learning Framework', the Education Bureau ("EDB") should also provide teachers with more unified and suitable teaching materials and guidelines to alleviate the unnecessary administrative burden on teachers, thereby allowing them to focus on bettering teaching and learning in class. Besides, EDB should collect and make public the data relating to non-Chinese speaking ("NCS") students in various primary and secondary schools to facilitate follow-up studies by academics, non-governmental organizations, the Equal Opportunities Commission, etc., so as to ensure that the approach of integrated education as advocated by EDB can be effectively implemented for the real benefit of NCS students."</p> <p>The Administration's response is in LC Paper No. CB(2)909/17-18(01).</p>
27 February 2018	<p>(1) "This Subcommittee urges the Administration to complete expeditiously the review of the "Chinese Language Curriculum Second Language Learning Framework" and set a timetable for formulating the Chinese language as a second language policy, while the introduction of a pilot scheme on teaching second language in primary schools should be proactively explored. In addition, apart from the Chinese language curriculum, the Government should offer additional channels for learning the Chinese language, with a view to providing non-Chinese speaking students with different opportunities and</p>

<u>Meeting date</u>	<u>Motion and the Administration's response</u>
	<p>platforms to master the Chinese language, as well as improving their "reading, writing, listening and speaking" abilities on all fronts."</p> <p>(2) "This Subcommittee urges the Education Bureau to set learning targets by stages for local ethnic minority ("EM") students in learning the Chinese language, so that these students can bridge over to mainstream classes after attaining a certain stage; and provide clearly to teachers key learning area curriculum guides formulated from the perspective of second language learners, which set out in details the Chinese language level that should be attained by local EM students in different levels of classes."</p> <p>The Administration's response is in LC Paper No. CB(2)1199/17-18(01) – (02).</p>
Employment support services for ethnic minorities (Chapter III)	
13 February 2017	<p>"This Subcommittee requests the Government to expeditiously set up an Ethnic Minority Employment Division in the Labour Department to coordinate an effective employment strategy for ethnic minorities and provide appropriate employment support services for non-Chinese speaking people."</p> <p>The Administration's response is in LC Paper No. CB(2)1344/16-17(01).¹</p>
27 March 2018	<p>"This Subcommittee urges the Government to set up designated employment centres for ethnic minorities with personalized case management, intensive vocational counselling and follow-up, as well as tailor-made strategies to enhance ethnic minority employability."</p> <p>The Administration's response is in LC Paper No. CB(2)1281/17-18(01).</p>

¹ Paragraphs 7-9 of Annex to the letter dated 5 May 2017 from LD

<u>Meeting date</u>	<u>Motion and the Administration's response</u>
Use of public healthcare services by ethnic minorities (Chapter IV)	
10 April 2017	<p>"This Subcommittee urges the Food and Health Bureau and the Hospital Authority to jointly review the medical policy on providing support for ethnic minorities and improve the existing measures for providing translation and interpretation services, and requests that teams of translators and interpreters be established to provide translation and interpretation services on a hospital cluster basis, so that ethnic minorities are provided with more appropriate and precise public healthcare services."</p> <p>The Administration's response is in LC Paper No. CB(2)607/17-18(01).</p>
Implementation and review of the Race Discrimination Ordinance (Chapter X)	
6 November 2017	<p>(1) "Given that the existing Race Discrimination Ordinance ("RDO") is full of loopholes and fails to provide ethnic minorities with full protection, and that the threshold for substantiating complaints of racial discrimination is extremely high, this Subcommittee requests the Government to amend RDO by providing that apart from the provision of services, it is also unlawful for the Government to discriminate in performing its functions and exercising its powers, such that when the Government performs its functions and exercises its powers, people of different ethnic groups will be protected from racial discrimination."</p> <p>(2) "In 2013, the Equal Opportunities Commission ("EOC") conducted a review of the four discrimination ordinances and made 73 recommendations to the Government, including 27 prioritized recommendations. However, the Government only agreed to accord priorities to nine of these recommendations. This Subcommittee considers that the Government should accord priorities to the 27 recommendations made by EOC, including amending the Race Discrimination</p>

<u>Meeting date</u>	<u>Motion and the Administration's response</u>
	<p>Ordinance by providing that it is unlawful for the Government to discriminate in performing its functions and exercising its powers."</p> <p>(3) "At the time of reviewing the Race Discrimination Ordinance, the Government should in parallel consider providing GovHK-style translation and interpretation services for ethnic minorities, with a view to facilitating improvement in Government's healthcare and housing services, etc. for the ease of ethnic minorities."</p> <p>The Administration's response is in LC Paper No. CB(2)493/17-18(01).</p>
Implementation and review of the Administrative Guidelines on Promotion of Racial Equality (Chapter XI)	
23 January 2018	<p>(1) "This Subcommittee urges the Government to expeditiously amend the Race Discrimination Ordinance ("RDO") and include government functions and powers in the review of RDO, so as to address the inadequacies of the Administrative Guidelines on Promotion of Racial Equality and help promote racial equality."</p> <p>(2) "Although Hong Kong has implemented the Race Discrimination Ordinance ("RDO") and the Administrative Guidelines on Promotion of Racial Equality ("the Administrative Guidelines"), RDO does not apply to the Government. The Equal Opportunities Commission has requested that amendments be expeditiously made to RDO by placing the Government under statutory regulation, yet the Government has turned down this suggestion. While the Administrative Guidelines have been drawn up, there is no monitoring at all, resulting that ethnic minorities ("EMs") in Hong Kong are unfairly treated when accessing to public services (including education, housing, healthcare, employment and social welfare services, etc.). This Subcommittee urges the Government to immediately amend RDO</p>

<u>Meeting date</u>	<u>Motion and the Administration's response</u>
	<p>and set up a high-level commission on EMs for monitoring government policies, public services, legislation and resource allocation from the perspective of EMs, with a view to ensuring equal opportunities for EMs and protecting them against discrimination."</p> <p>(3) "The Government often refuses to collect data relating to ethnic minority service users on grounds of "avoiding racial discrimination". However, many countries have in fact clearly stated that data collection is an effective means of vigorously stamping out racial discrimination instead. This Subcommittee urges the Government to draw up guidelines on data collection to ensure that the collection and use of the relevant ethnicity data shall aim to eliminate discrimination or promote racial equality."</p> <p>The Administration's response is in <u>LC Paper No. CB(2)1019/17-18(01)</u>.</p>
Steering Committee on Ethnic Minorities (Chapter XIII)	
9 July 2018	<p>(1) "This Subcommittee urges the Chief Secretary for Administration, with his political determination, to formulate the following strategies for the Steering Committee, including:</p> <p>(a) to coordinate the policies and support measures in respect of ethnic minorities ("EMs") of various departments, such that a common vision and goal are in place for the Government in formulating the policies and support measures;</p> <p>(b) to establish open channels to proactively get in touch with EM groups and the relevant organizations on a regular basis for the purpose of effective public engagement and monitoring, as well as effective expression of public views on the Steering Committee, in order to enhance transparency;</p>

<u>Meeting date</u>	<u>Motion and the Administration's response</u>
	<p>(c) to instruct various bureaux to plan for long-term policies in gradual replacement of the existing short-sighted remedial measures; develop short, medium and long-term and measurable performance indicators; as well as make reference to overseas experience and those available studies by local academics and non-governmental organizations when formulating policies,</p> <p>in order to bring hopes for resolving the EM issues which have remained enmeshed for a long time, and help EMs integrate into Hong Kong more quickly."</p> <p>(2) "This Subcommittee strongly requests the Government to appoint ethnic minorities ("EMs") and persons who are concerned about the rights of EMs to the Ethnic Minorities Steering Committee, in order to ensure that the Steering Committee will optimize the use of the \$500 million public resources and effectively address the needs of EMs."</p> <p>The Administration's response is in <u>LC Paper No. CB(2)1899/17-18(01)</u>.</p>

Dedicated VPET Programmes for NCS Students by VTC

Programme Type	Mode of Study	Target Group	Major Discipline/ Subject Area	Academic Year 2015/16		
				No. of programmes offered	Planned Places	Enrolment
Diploma of Foundation Studies and Diploma of Vocational Education	Full-time	Secondary 3 / 6 school leavers	Business, Design, Hospitality	4	140	187
Vocational Development Programme	Full-time	Non-engaged youths	Office Operations, Computer Network Installation	1	20	14
Applied Learning Course and Other Learning Experience Programme	Part-time	Senior secondary students	Hotel Operations, Western Cuisine	3	190	199
Vocational Chinese Short Courses	Part-time	Working adults	Chinese Communication	8	340	362
Skills Training Courses / Preparatory Courses for Trade Tests	Part-time	Working adults	Electrical, Welding	5	60	45
Total				21	750	807

Interpretation Services provided by the Hospital Authority

	From 2012/13 to 2016/17 (as at November 2016)							
	Hong Kong East Cluster	Hong Kong West Cluster	Kowloon Central Cluster	Kowloon East Cluster	Kowloon West Cluster	New Territories East Cluster	New Territories West Cluster	Hospital Authority Head Office
Urdu	1 559	678	2 276	2 008	8 055	284	3 541	2
Punjabi	858	428	959	944	2 550	176	735	1
Nepali	206	278	1 393	13	845	127	1 053	0
Bahasa Indonesia	335	331	383	207	698	216	687	0
Hindi	117	197	450	207	444	57	166	1
Japanese	341	69	198	12	133	67	42	0
Thai	148	98	354	15	135	25	52	0
Tagalog	17	27	45	10	63	6	60	0
Korean	101	33	91	6	59	13	4	0
Bengali	15	45	53	4	120	18	164	0
Vietnamese	35	41	152	42	407	7	244	0
German	1	1	10	0	10	0	0	0
French	7	7	23	1	11	0	23	0
Spanish	7	27	32	1	9	9	18	0
Sinhala	2	15	22	1	4	0	27	0
Arabic	0	9	21	0	64	5	10	0
May	0	2	4	0	4	1	7	0
Portuguese	0	0	3	0	2	0	0	0
Taiwanese	0	0	5	0	0	0	1	0
Russian	2	0	1	0	1	0	9	0
Swahili	2	0	11	0	2	0	8	0
Tamil	0	0	7	1	1	4	64	0
Pashto	4	0	1	0	0	0	5	0
Burmese	4	10	0	1	0	0	0	0
IGBO	0	0	1	0	0	0	8	0
Turkish	0	2	0	0	0	0	0	0
Uganda	0	0	1	0	0	0	1	0
Cambodian	0	0	0	0	5	0	0	0
Llcoano	0	0	0	0	0	0	1	0
Total cases:	3 761	2 298	6 496	3 473	13 622	1 015	6 930	4