



The University of Hong Kong

Centre for Comparative and Public Law

Faculty of Law

4/F KK Leung Building, Pokfulam Road, Hong Kong

Promoting Racial Harmony? Hong Kong's Race Discrimination Bill in International and Comparative Perspective

Saturday, 31 March 2007, 8:45 am – 5:30 pm

Room 419, 4/F Knowles Building, The University of Hong Kong

The Hong Kong government tabled a Race Discrimination Bill in the Legislative Council in December 2006. If passed, the law would become Hong Kong's fourth piece of specific anti-discrimination legislation and would prohibit discrimination on the basis of race, colour, descent, or national or ethnic origin. The proposed legislation is intended to give effect in domestic law to Hong Kong's obligations under the International Convention on the Elimination of all Forms of Racial Discrimination. Debate over the bill has focused on its application to government actors; its definition of indirect discrimination; its exemptions; whether the prohibited grounds include new arrivals from mainland China; and whether it is compatible with equality guarantees in the Bill of Rights and the Basic Law. This conference will examine the bill's provisions in light of Hong Kong's international human rights obligations and comparative equality law.

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| 8:30-8:45 am | Registration |
| 8:45-8:55 | Opening Remarks
<i>Johannes Chan (Dean, Faculty of Law, University of Hong Kong)</i> |
| 8:55-9:45 | Session 1: Overview of the Bill's Provisions
<i>Carrie Lam (Permanent Secretary for Home Affairs, HKSAR)</i>
<i>Donald Tong (Deputy Secretary for Home Affairs, HKSAR)</i> |
| 9:45-11:15 | Session 2: Examples of Race Issues in Hong Kong
Chair: <i>Vandana Rajwani (HKU, Hong Kong against Racial Discrimination)</i>
<i>James Keezhangatte (Department of Social Work and Social Administration, HKU)</i>
<i>Fermi Wong (UNISON)</i>
<i>Sharmila Gurung (Christian Action)</i>
<i>Annie Lin (SOCO)</i> |
| 11:15-11:30 | Tea break |



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11:30-1:00

Session 3: Issues in the Bill

Chair: Albert Chen (HKU)

Raymond Tang (Chairman, EOC) “The Role of the EOC”

Carole Petersen (University of Hawaii) “How Many Clauses does it Take to Define Discrimination? A Comparison of the Racial Discrimination Bill with Existing Legislation”

Kelley Loper (HKU) “The Education, Training and Language Provisions”

P.Y. Lo (Barrister and PhD Candidate, HKU) “The Race Discrimination Bill and Non-residents”

1:00-2:00

Lunch

2:00-4:00

Session 4: International and Comparative Perspectives

Chair: Carole Petersen (William S. Richardson School of Law, University of Hawaii at Manoa)

Andrew Byrnes (University of New South Wales) “Hong Kong and Forty Years of the Racial Discrimination Convention: Reflections on Politics, Substance and Process”

Fernand De Varennes (Murdoch University) “Language and Racial Discrimination in International Law”

Aileen McColgan (Matrix Chambers and King’s College London) “UK Equality Law Developments”

Malcolm Luey (Sohmen Visiting Scholar) “Equality Law and Good Governance”

Holning Lau (UCLA) “Recent Controversies in American Equality Law: Discrimination Based on Mutable Traits”

4:00-4:15

Tea break

4:15-5:30

Session 5: Commentary on the Issues Raised

Chair: Richard Cullen (HKU)

Margaret Ng (Chair of the Legislative Council Bills Committee on the Race Discrimination Bill)

Michael Davis (Chinese University of Hong Kong)

Hurst Hannum (HKU)

Andrew Byrnes (University of New South Wales)

5:30

Closing Comments

Simon Young (Deputy Director CCPL, HKU)