

Subcommittee on Rights of Ethnic Minorities
Monday, 9 July 2018, at 4:30 pm
Conference Room 2 of the Legislative Council Complex

**The Work of the Ethnic Minorities Steering Committee and Support
Measures for Ethnic Minorities**

Submission

1. In 2015, I published the first comprehensive report on the Status of Ethnic Minorities in Hong Kong 1997-2014, which serves as a compendium of the most significant research and census data pertaining to this community in Hong Kong. The Report takes a rights-based approach and analyses the research and data to outline the key challenges facing the community in terms of equality of access to life opportunities and their quality of life in Hong Kong across a range of realms.
2. The themes covered by the Report include equality and non-discrimination protections under Hong Kong law, citizenship, belonging and language, equality in access to education, employment opportunities, income, poverty, health and family life and law enforcement and crime. Based on the observations outlined for each of these themes, the Report offers key recommendations for action. The action-items are applicable to a broad range of stakeholders, including the administration, government officials, departments and bureaux providing a range of services, frontline professionals engaged in servicing Hong Kong's ethnic minority communities.
3. The Report is prefaced by Key Observations and Recommendations at the very beginning where I made the following key recommendations for the Government's consideration:
 - Set up a high-level taskforce, including ethnic minority experts, to focus on review, development, evaluation of policies and laws for their impact on ethnic minorities and to make recommendations for reform.
 - Appoint ethnic minorities to advisory and high-level government committees, so that they may participate and contribute their expertise and knowledge.
 - Appoint a high-level minister in the government to be in charge of ethnic minority affairs such as a Commissioner for Ethnic Minority Affairs.

- Regular opportunities for consultation with ethnic minority communities to hear from them about the priority areas that need most urgent attention.
4. I commend the steps taken by the current administration to implement at least three out of four of these recommendations, which demonstrates the commitment at the very top to address the issues contributing to the barriers faced by Hong Kong's ethnic minorities in living a life of equal dignity and one that is free from discrimination.
 5. I have provided the Chairman of the Steering Committee with a copy of the Report in the hope that it may prove instructive and be of assistance to the Committee as it embarks on its mandate. I strongly urge all members of the Commission to draw on this comprehensive resource as a starting point.
 6. As it considers its priorities, mandate and work schedule, I would like to highlight the following for the Steering Committee's consideration:
 - (1) First, the importance of recognizing that Racial Discrimination is Real: In Para 3, the administration's paper suggests that some ethnic minorities EMs have encountered difficulties in adaptation and social integration owing to language barriers and cultural differences, whilst this may be accurate for a small segment of the population concerned, it is vital to recognise the root causes of the barriers to integration which are experienced by ethnic minorities. These lie in discrimination based on race and ethnicity and those aspects that serve as a proxy for such identifiers. Such discrimination is insidious and extremely difficult to address given that it is perpetrated widely but is difficult to eradicate as there are both, individual and social dimensions to discrimination, which fuel it and give it an entrenched status that is long-lasting and systemic. If we oversimplify the problem and see it as language-based or class-based discrimination or a cultural difference, we have failed to understand the issues and are unlikely to be able to tackle them effectively.
 - (2) Second, Applying an Intersectional Framework in Reviewing Existing and Developing New Policies which Impact Ethnic Minority Communities: One of the most pioneering moves is the inter-departmental nature of the Steering Committee. This not only has the advantage of having the highest-level officials in charge of key policy-making sitting at the table to determine the future directions of policies pertaining to ethnic minorities as well as consider the ways in which existing policies impact ethnic minorities, but also, equips this singular Committee with an unprecedented degree of expertise and the capacity to apply an intersectional framework in its analysis of a particular problem it identifies.

This means that the Committee should adopt a more complex assessment framework which goes beyond the traditional framing of an issue along a single dimension, for example, as ‘gender-’ or ‘employment-’ or ‘race-’ related. Rather, the Committee should adopt an intersectional framework which enables it to map the distinct experience and manifestation of a problem pertaining to specific ethnic minority communities from a multi-layered perspective which looks at their lived realities. For example, whether a policy on poverty alleviation is capable of reaching impoverished women from a particularly disadvantaged ethnic minority group or where this woman is a single mother or has children or a disability, all circumstances which would necessarily escalate the challenge of poverty and measures required to effectively address her circumstances. This would substantially enhance the equality-quotient of the measures applied.

- (3) Third, Inclusive and Participatory Decision-Making: In order to enhance the visibility of ethnic minorities and demonstrate their expertise and potential to be part of the solution of various challenges which Hong Kong is facing more broadly, the Committee should endeavour to set up appropriate channels to receive the views of a wide cross-section of ethnic minorities in Hong Kong. These views should be reviewed by the Committee in consultation with specific Working Groups that may be organised with representatives of ethnic minorities from appropriate sectors or with requisite expertise or thematically. The Working Group should then develop key recommendations based on the consultations, which should then be considered by the Committee collectively to determine the best way forward. Although ideally the Committee should have representative appointees from the ethnic minority community given the imperative of inclusive governance and justice best captured by the slogan of disability rights advocates, “Nothing about us without us!”, perhaps this is something we can come to expect in the next iteration of the Committee's work.
- (4) Fourth and finally, I urge the Committee to work together with relevant stakeholders to develop and adopt monitoring indices to serve as Key Performance Indicators in the interests of transparency and accountability and to enable the measurement of progress. The measure of any Committee's effectiveness and success rests not only on its own report of what it has achieved but the availability of cross-time data of measures, their implementation and the efficacy of their outcomes.

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