



17<sup>th</sup> October, 2014

**Submissions to the United Nations Human Rights Committee for the Meeting in October 2014 to Follow up on the 2013 Concluding Observations on Hong Kong (CCPR/C/CHN-HKG/CO/3)**

**Introduction**

1. Hong Kong Unison Limited is an NGO which promotes racial equality in Hong Kong. We receive no government funding.
2. In your *Concluding observations on the third periodic report of Hong Kong, China (CCPR/C/CHN-HKG/CO/3)* published in April 2013, your Committee requested the Hong Kong Government to provide within one year, relevant information on its implementation of some of the Committee's recommendations, in accordance with rule 71, paragraph 5 of the Committee's rules of procedure. One of these recommendations was about ethnic minorities. In April 2014, we made submissions to your Committee for your reference when considering the information provided by the Hong Kong Government.
3. We are now submitting supplementary information for your Committee's **special meeting in October 2014**. We hope you would show concern over the issue of education of ethnic minorities in the special meeting, as continuous monitoring of the government is important for ensuring effective implementation of your recommendations. This document can be uploaded on your website.

**Chinese language education of ethnic minorities**

4. Although the government announced in January 2014 the implementation of the "Chinese Language Curriculum Second Language Learning Framework" to commence in September 2014, there is not much difference in this Learning Framework compared with pre-existing piecemeal initiatives that can render this Learning Framework effective in giving ethnic minorities equal access to the right to education and employment. The government does not set a standard teaching curriculum



with stage targets for schools and provides limited guidance to schools on what pedagogic principles and methods they should adopt.

5. On the policy level, there is no policy goal, outcome indicator, detailed implementation plan and timetable, and monitoring mechanism for this Learning Framework. The lack of accountability severely undermines the effectiveness of the Framework in giving ethnic minorities equal opportunities to learn the Chinese language.
6. For kindergarten, which is the first and therefore most important stage of Chinese language learning, the government does not have a policy that supports Chinese language learning for the large number of ethnic minority students in kindergartens.
7. Recommendation: **We urge the government to formulate a comprehensive and adequate “Chinese as a Second Language” policy with a concrete policy goal, an implementation plan and timetable, output indicators and a transparent monitoring mechanism as soon as possible.**

#### **De facto segregation**

8. In 2012/13, in 8 public schools, non-Chinese speaking students account for over 90% of the student population. In response, the government changed the mode of funding to schools in the hope of diffusing the non-Chinese speaking population to mainstream schools, but has not done anything concrete to lower the concentration of non-Chinese speaking students in these schools.
9. The Education Bureau claims that ethnic minority parents choose to send their children to schools admitting a large number of ethnic minority students. However, we do not believe it is an informed choice because ethnic minority parents generally have limited information regarding the local mainstream school system. Moreover, many ethnic minority children have no choice but to attend schools with a lot of ethnic minority students because they do not have adequate learning support to manage a curriculum taught in Chinese at mainstream schools.



10. Furthermore, any reliance on parental choice to evade the responsibility of eliminating *de facto* racial segregation violates Article 3 of the Convention on the Rights of the Child on the best interests of the child.
11. Recommendation: **We urge the government to take immediate and effective steps to eliminate the *de facto* racial segregation in the public education system.**

**Anti-discrimination legislation**

12. Although your Committee did not request the government to submit information regarding the anti-discrimination legislation in the follow-up report to the Concluding Observations, we make submissions on the anti-discrimination legislation here because the Equal Opportunities Commission of Hong Kong is conducting public consultation on a comprehensive review of the anti-discrimination legislation.
13. In the Concluding Observations in 2013, your Committee noted with concern that, unlike the other Discrimination Ordinances, the Race Discrimination Ordinance (RDO) does not specifically apply to the Government in the exercise of its public functions. We urge the EOC to proactively advocate amendment in this regard and the government to accept this proposal and put forward an amendment bill in the Legislative Council.