

**Consideration of the Third Report of
HKSAR, China on the Convention on the Elimination of All
Forms of Discrimination against Women
23 October 2014, Geneva**

**Opening Statement by
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Chairperson, distinguished members,

Good morning.

2. I am honoured to have this opportunity to speak on the implementation in the Hong Kong Special Administrative Region (HKSAR) of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which was extended to Hong Kong in 1996 and has continued to be applicable to the HKSAR following resumption of exercise of sovereignty over Hong Kong by China on July 1, 1997, under the principle of “One Country, Two Systems”. The HKSAR has all along been implementing CEDAW in accordance with the provisions of the Basic Law and local laws. I would like to thank Madam sòng xiù yán 宋秀岩 for her leadership of the Chinese delegation. I must also thank you for your interest and observations on our Government’s Third Report submitted in 2012.

3. Chairperson and members, let me assure you that the HKSAR Government remains fully committed to implementing

the provisions of CEDAW as applied to the HKSAR. The Basic Law of the HKSAR and the Hong Kong Bill of Rights Ordinance continue to protect the fundamental rights of all people in the HKSAR. We have brought into force four pieces of anti-discrimination legislation, which are the Sex Discrimination Ordinance, the Family Status Discrimination Ordinance, the Disability Discrimination Ordinance and the Race Discrimination Ordinance.

Women in HKSAR Nowadays

4. I think it may be useful for me to give you a general profile on women in the HKSAR.

5. The HKSAR is an international business and financial centre. We now have a population of more than 7 million with slightly more than half of them being female. Women also live longer than men; on average men and women in Hong Kong are expected to live 81 and 86 years respectively.

6. With equal rights of access to 12 years of free education in the HKSAR, more than 76.5 per cent of females aged 15 or above in the HKSAR have attained secondary education or above, and females now account for more than half of our student enrolments in undergraduate programmes as well as over 60 per cent of the students in taught postgraduate programmes.

7. In the HKSAR, equal employment opportunities for women and men are protected by the Sex Discrimination Ordinance. Female employees are provided under the

Employment Ordinance with maternity protection, comprising paid maternity leave as well as employment protection during pregnancy. Women in Hong Kong are not only free to choose to work in the labour market; more of them are taking higher positions. Let me quote some figures to illustrate this point. Among senior management positions in private businesses, more than 30 per cent are held by women[; more than 45 per cent of the public accountants and solicitors in the HKSAR are women]. Among our 15 Secretaries and Directors of Bureaux, a woman holds the office of the Chief Secretary for Administration, who is the leading Principal Official in the HKSAR Government. In the civil service, half of our 18 permanent secretaries, including myself, and around one-third of all directorate officers are women, and in the Judiciary more than one-fourth of our judges and judicial officers are women.

Three Specific Issues

8. We are conscious of the need to make ongoing efforts to promote the realisation of women's due status, rights and opportunities in all aspects of life. I would like to briefly address the following three specific issues which are close to our hearts.

(1) Women's Employment

9. The first issue is women's employment. According to a recent Manpower Projection conducted by the HKSAR Government, the local female manpower supply is projected to grow from 1.55 million in 2012 to 1.72 million in 2022. During

the same period, women's share of the local workforce is projected to edge up from 44.0 per cent to 46.7 per cent, with the female labour force participation rate increasing slightly from 49.6 per cent to 50.5 per cent.

10. We note that many women take on for themselves the role of carers in the family. The HKSAR Government fully respects the choice of women and appreciates that some women would prefer taking care of families to pursuing a career. However, we note that a considerable number of female homemakers would be willing to work given suitable employment opportunities while Hong Kong is projected to require more manpower to drive our economic growth.

11. To enable women to pursue employment and careers of their choice, we are now working proactively to facilitate employment of women through a range of measures such as planning holistically for better community child care provision, after-school child care and elderly services; more family-friendly workplaces; more part-time jobs; and better retraining. In this regard, we are sensitive to the need for specific measures to meet the needs of single parents, women newly arrived in Hong Kong and women with disabilities. I would like to quote some specific measures:

- (a) We are preparing to introduce a Low Income Working Family Allowance to help low-income breadwinners and their families. We will adopt a much lower working hours threshold for breadwinners who are single parents in recognition of their special needs;

- (b) As one of the family-friendly measures, we have earlier this year introduced into the Legislative Council a Bill which seeks to provide eligible working fathers with three days' paid paternity leave. The Bill is at present under the scrutiny of the Legislative Council; and
- (c) We will continue to implement the Statutory Minimum Wage, [currently set at HK\$30 per hour (US\$3.8 per hour), which is subject to review at least once every two years,] to provide a wage floor to forestall excessively low wages. This measure has proven to be effective in encouraging more women to pursue employment.

More importantly, the Government will continue to develop our economy and create more employment opportunities which meet our many development needs.

(2) Foreign Domestic Helpers

12. I will now turn to the subject of foreign domestic helpers (FDHs) which is related to women's employment.

13. Let me say right at the outset that we are grateful to the contributions made by some 329,000 FDHs, who are mostly women, currently working in Hong Kong. They assist local women in taking care of their families and also help release more local women to pursue employment and careers.

14. The FDHs are now working in more than 260,000 families in Hong Kong. [I must declare an interest as my family is one of them, and I have been benefiting from the

assistance granted by the same FDH for more than 20 years.] The majority of employers treat their FDHs well, and most FDHs enjoy a good relationship with their employers.

15. I would like to make clear that the HKSAR Government is committed to protecting the rights of our FDHs through a multi-pronged approach:

- (a) Hong Kong is one of the few places where the local law provides that FDHs are able to enjoy a range of labour rights and benefits, such as statutory holidays, a weekly rest day, as well as maternity protection and more, and FDHs, in addition, are protected by a Government-prescribed Standard Employment Contract which provides for, among others, the Minimum Allowable Wage [which is currently set at HK\$4,110 (US\$527) per month]. Our law further provides that FDHs, like any local person, are protected against abuse. All employment agencies are also required to be licensed under our law;
- (b) We consider it important to make sure that the FDHs, their employers, their employment agencies, the local community as a whole and the FDH exporting countries are all fully aware of the rights of FDHs. We have been actively stepping up our efforts in this regard. For instance, we have established regular liaison mechanisms with the relevant foreign consulates in Hong Kong, with a view to tackling issues like the heavy training and agency fees that some FDHs may have committed to pay even before their arrival in Hong Kong; we have been launching ongoing publicity and

educational programmes to improve FDHs' awareness of their rights; and we are also considering the introduction of a Code of Practice to better regulate the operations of the employment agencies; and

- (c) We encourage FDHs to come forward and file reports if they are abused and, if their rights are violated, or both. They, same as local workers, enjoy equal access to the courts and legal aid. The relevant authorities treat these cases seriously, take prompt action to investigate the cases, and, if there is sufficient evidence, institute prosecutions and other actions against their employers or employment agencies, [such as disallowing further employment of FDHs by certain local persons and revoking the licences of the employment agencies].

(3) The Women's Commission

16. The third issue is the Women's Commission (WoC), or the WoC for short, which was set up in 2001 to advise the HKSAR Government on women's issues. Mrs Stella Lau, the Chairlady of the Commission, is joining me here today. I would now like to focus on the following two areas in which the WoC is proactively working at the moment.

17. The first area is gender mainstreaming, or GM. The WoC has developed a GM Checklist and this Checklist has been applied to more than 50 policy and programme areas in Hong Kong. The WoC has recently advised us that the time is ripe to institutionalise GM in major policies and initiatives across the

board. The second area is appointment to government advisory and statutory bodies, or ASBs. Taking into account the advice of the WoC, the Government introduced, in January 2004, the first gender benchmark of 25 per cent as a working target for appointments to ASBs. The Government, on the advice of the WoC, raised the gender benchmark from 25 per cent to 30 per cent in June 2010. As at the end of April 2014, 1,963 (32.3 per cent) of the appointed non-official members in 418 ASBs were women. The WoC has recently advised us to consider increasing the 30 per cent working target to a higher figure. The Government is now proactively considering the WoC's advice in these two areas.

Conclusion

18. Chairperson and members, the HKSAR Government cherishes its partnership with women's groups, and with the whole community, men and women. Acting in concert, we stand ready to chart new courses to further promote the realisation of women's due status, rights and opportunities in all aspects of life, in a continuing process of faithfully implementing CEDAW as applied to the HKSAR. Let me thank you once again for your interest in our endeavours.

19. Thank you very much.
(1773 words)