



29th September, 2014

**Submissions to the CEDAW Committee on the Report of
Hong Kong, China (CEDAW/C/CHN-HKG/7-8)
for the 59th Session in October 2014**

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Education

Chinese language education of ethnic minorities

1. Although under the New Senior Secondary academic structure, all students, regardless of sex, are entitled to six years of free secondary education and required to study Chinese Language, many ethnic minority students in Hong Kong are arranged to study for and take the GCSE (Chinese) examination, which is equivalent to the local primary 1 or 2 level of Chinese, upon graduation from secondary school. This lack of Chinese proficiency adversely impacts on ethnic minority girls' right to further education and employment.
2. In the list of issues, your Committee asked for information about specific measures to address the low participation of ethnic minority women in politics in public life. In fact, most media reports, public discussions and even some of the official information about public services are only available in Chinese. Where certain information is available in English or minority languages, such information is much less accessible. Therefore, the lack of equal opportunities of ethnic minorities to learn the mainstream level of the Chinese language poses a significant barrier to civic participation of ethnic minority women.
3. 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.
4. 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 minority girls equal opportunities to learn the Chinese language.



5. For kindergarten, which is the first and therefore most important stage of Chinese language learning, the government does not have a policy that supports the Chinese language learning for the large number of ethnic minority students in all kindergartens.
6. The government claims in paragraph 205 of its report that the education opportunities for non-Chinese speaking students are equal for both male and female. However, this should not be a justification for government policies which do not give ethnic minority girls equal education opportunities. This is because ethnic minority girls are still disadvantaged compared with Chinese boys given the above-mentioned Chinese language education policy for ethnic minorities.
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 in substance 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, it is not 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 cannot manage the curriculum taught in Chinese at mainstream schools since there is no adequate learning support.



10. Furthermore, any reliance on parental choice to evade the responsibility of eliminating *de facto* racial segregation violates Article 3 of the CRC 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.**

Racial and Gender Segregation

12. According to news reports, in 2012/13, there was segregation of ethnic minority girls within some co-educational secondary schools, such as the prohibition of interaction between male and female students. Also, in one school, Pakistani girls faced gender and racial segregation because they had a timetable different from that of Pakistani boys and non-Pakistani boys and girls. Pakistani girls had less learning time under this timetable. Even though the incident was reported in the media more than once, it is not clear to the public what the Education Bureau has done to investigate the issue. **We urge the government to take immediate, effective measures to eliminate the *de facto* racial segregation in the public education system and the gender segregation within certain schools.**

Race Discrimination Ordinance

13. The Race Discrimination Ordinance (RDO) is the weakest amongst all the four non-discrimination ordinances in Hong Kong in the sense that it does not apply to the government's performance of functions and exercise of powers. It is stated in paragraph 21 of the Government's report that the RDO does not contain a specific clause to cover all the functions and powers of the Government such as the Police, the Correctional Services Department, the Immigration Department, Legal Aid Department, Housing Authority and the Student Financial Assistance Agency. The Equal Opportunities Commission (EOC) is currently conducting a review on the Discrimination Law. **We urge the EOC to proactively advocate**



amendment to the RDO in this regard and the Government to put forward an amendment bill in the Legislative Council.

14. Moreover, we urge the EOC to proactively advocate the introduction of express protection from intersectional discrimination in the Discrimination Law and the Government to put forward a corresponding amendment bill in the Legislative Council, which will enhance protection for ethnic minority women and other vulnerable groups of women from discrimination.