



Hong Kong Unison
香港融樂會有限公司

**Submission to the LegCo Panel on Constitutional Affairs
For its meeting on Monday, 16 November 2009, at 2:30 pm**

**On the hearing of the Report of Hong Kong under International Conventions on
Elimination of All Forms of Racial Discrimination (ICERD)**

1. The Hong Kong Government has submitted its report to the United Nations (UN) Committee on the Elimination of Racial Discrimination (the Committee) as part of China's report on the implementation of ICERD in 2008. The report was considered by the Committee in August 2009. A number of local NGO, including the Hong Kong Unison Limited (Hong Kong Unison), have made submissions to the Committee and participated in the consideration of the Hong Kong Report in August 2009. After the hearings, the Committee issued its Concluding Observations, which expressed concerns and made recommendations on a number of issues regarding Hong Kong.
2. Hong Kong Unison is pleased that most of the concerns raised by NGOs were covered in the Concluding Observations. Sadly speaking, the Hong Kong Government turned a blind eye to those recommendations made by the Committee. For instance, it refused to extend the scope of the Racial Discrimination Ordinance (RDO) to bind the Government in its performance of functions and exercise of power. In addition, it also rejected the proposal of introducing the education policy of teaching Chinese as a second language for non-Chinese speaking students.
3. In fact, after the publication of the Concluding Observations, Legislator Emily Lau, together with other NGOs who had observed the hearings in Geneva, had requested a meeting with Stephen Lam, the Secretary for Constitutional and Mainland Affairs, to discuss follow-up actions regarding the Concluding Observations. Yet the Constitutional and Mainland Affairs Bureau (CMAB) declined our request and claimed that there are a number of ways including Legislative Council (LegCo) panel meetings and Human Rights Forum to hear the voices of civil society.



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4. In the light of CMAB response, we consider the LegCo Panel on Constitutional Affairs is an appropriate venue to discuss the matter. Therefore, we urged your Panel to conduct a **public hearing** on the Concluding Observations and their implementation in accordance to LegCo practice, so that your members would have the chance to hear voices from the civil society, and to consider the matter in a comprehensive manner.