

**Joint Statement by Hong Kong NGOs
to the 36th sessions of the CEDAW Committee**

August 7, 2006

We have high regard for the work of the Committee, and have come a long way to the hearing in the hope that we can convey to you the key information on the implementation of CEDAW in Hong Kong. However, we are deeply disappointed that the current arrangements for NGOs to address the Committee are, in effect, unhelpful. With the very limited time allocated, we find it very difficult to cover all the critical issues of concern. We strongly urge the Committee to review its arrangement for the oral intervention.

In order to present you with a more comprehensive picture of our issues of concerns, we would like to invite the Committee members to an informal briefing session to take place on August 8, 2006 inside the UN Building. Details to be informed soon.

In the meantime, we would like to draw your attention to the following issues:

Central Mechanism

The Women's Commission is only an advisory body under the Health, Welfare and Food Bureau. It seldom defines its work within the CEDAW framework.

It fails to fulfill the recommendations outlined in the concluding comments, in paragraph 318, made by the committee in 1999.

It should be elevated to a status directly under the Chief Secretary for Administration, and vested with adequate powers and resources to implement the Convention.

Foreign Domestic Workers

The migrant workers still remain one of the most discriminated groups in Hong Kong.

They confront inhibitive labour conditions, including the massive underpayment problems and excessive agency fees that need to be comprehensively addressed.

We urge the government to implement radical changes, in order to improve their situation, in particular to restore the wage being cut, to abolish the discriminatory immigration "Two Week Rule" and the live-in requirement.

We also urge the Committee to push the government to enact anti-racial discrimination

legislation, and extend equal access to right of abode and social security benefits to Foreign Domestic Workers.

Violence against Women

Women in HK are generally vulnerable to violence and the major victims are still women. In the past few years, there are, on average, ten domestic violence cases reported in HK per day.

Legislations and policies regulating domestic violence are fragmented. The Domestic Violence Ordinance merely deals with injunction order and nothing else. We therefore urge a comprehensive reform of the legislation, and the setting up of an effective system, including a Domestic Violence Court.

In dealing with sexual violence, the only 'one-stop' rape crisis centre, which is operated by a NGO, has by far received no funding from the government in spite of its recurrent financial crisis. The government has proposed to set up an "integrated crisis intervention and support centre". We are skeptical as the proposal itself lacks gender perspective and it is full of loop-holes.

Women and Poverty

There is a large wage discrepancy between men and women in Hong Kong. One out of seven female employees falls into the category of working poor. The Government and the Commission of Poverty should put feminization of poverty and age discrimination on agenda, and tackle the structural factors that push female to such vulnerable situation.

We urge the Government to set up a universal retirement protection system in Hong Kong. The existing Mandatory Provident Fund is job-related, and the monthly contribution depends on the amount of income. Low-income employees, casual workers and homemakers, all mostly women, simply do not benefit from this scheme.

Vulnerable Women

The rights of sex workers are abused by the police and immigration officers. They are vulnerable to unreasonable arrest, physical assault, verbal violence and sexual harassment. During their detention, they are denied their basic human rights. Last year, the media reported that over 100 female sex workers were arrested and kept in a big cage in an open area of a police station.

Minority women, including female ethnic minorities, overseas Chinese from South or South

East Asia, asylum seekers, mothers in split families and new arrivals from China. These are the women who suffer multidimensional discrimination in both private and public sectors, such as gender-based violence, equal opportunities to employment, fair enumeration and other labour rights in general. Many also suffer unequal access to justice, law protection as well as public services provisions.

Many are discriminated because of their ethnic and/ or racial origin, status of residency in Hong Kong, socio-political status, often intertwined with the problems of language barriers.

The society knows little about these women, so does the Government. We strongly suggest that the government should study the situation of these women and develop respective and comprehensive policies to ensure the protection of their equal rights as enshrined under CEDAW and other international human rights standards

Cosigned by:

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Asian Migrants Coordinating Body,
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Coalition for Migrants Right,
Helpers for Domestic Helpers,
Hong Kong Association for the Survival of Women Abuse,
Hong Kong Human Rights Monitor,
Hong Kong Women Workers' Association,
Hong Kong Women's Coalition on Equal Opportunities,
Indonesian Migrant Workers Union,
Mission for Migrant Workers (Hong Kong) Society,
Office of Albert Ho Chun Yan, Legislative Councillor,
Office of Emily Lau, Legislative Councilor,
Office of Fernando Cheung, Legislative Councillor,
The Civic Party,
The Democratic Party,
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