

附件二

**Hong Kong Special Administrative Region of the People's Republic of China's  
(HKSAR) Response to the Questionnaire to Governments on  
Implementation of the Beijing Declaration and Platform for Action and the  
Outcome of the Twenty-Third Special Session of the General Assembly of the  
United Nations (UN) Economic and Social Commission for Asia and the Pacific**

**(Focused on developments made between 2004 and 2009)**

**Part One: Overview of achievements and challenges in promoting gender  
equality and women's empowerment**

The HKSAR Government is committed to the advancement and development of women as well as the promotion of gender equality.

2. Equality is an important fundamental under the Hong Kong Basic Law, our constitutional document. The Basic Law guarantees that all Hong Kong residents shall be equal before our law. Hong Kong's Bill of Rights also guarantees that all women and men shall have an equal right to the enjoyment of civil and political rights. In parallel with the extension of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) to Hong Kong in 1996, the Sex Discrimination Ordinance (SDO) came into effect in the same year. The SDO prohibits unlawful discrimination on the grounds of sex, marital status or pregnancy in specified areas of activities, including employment and education. It also outlaws sexual harassment as well as discriminatory practices. An independent statutory body, namely the Equal Opportunities Commission, has been established under the SDO since 1996 to eliminate sex discrimination and promote equal opportunities between women and men.

3. To demonstrate its commitment to further advancing the well-being and interests of women in Hong Kong, the HKSAR Government set up the Women's Commission (WoC) in January 2001 as a high-level central mechanism to advise the Government on women's issues and to champion for women's interests. Appointed by the Chief Executive of the HKSAR, the WoC is tasked to take a strategic overview on women issues; develop a long-term vision and strategy for the development and advancement of women; advise the Government on policies and initiatives which are of concern to women; and assist the Government in implementing the CEDAW and other international instruments related to women. Its mission is to enable women in Hong Kong to fully realise their due status, rights and opportunities in all aspects of life. To fulfil its mission, the WoC has adopted a three-pronged strategy, namely the provision of an enabling environment, empowerment of women and public education. The HKSAR Government has been working together with the WoC to promote the well-being and interests of women through its three-pronged strategy.

4. To provide an enabling environment, we have introduced gender mainstreaming in the Government on an incremental basis. Our objective is to ensure that the Government takes into account gender perspective and needs in formulating and implementing Government policies, programmes and legislation. To date, gender mainstreaming has been applied to 28 policy/programme areas. In

addition, staff of many bureaux and departments have also applied the gender mainstreaming concept in the course of their daily work. Plans are in hand to roll out gender mainstreaming gradually to more bureaux and departments. At the same time, gender-related training programmes are provided to civil servants to raise their gender awareness. Key statistics on women and men in Hong Kong are also compiled by the Census and Statistics Department to facilitate gender analysis and gender sensitive policy-making.

5. **To empower women**, it is important to engage them in the community's decision-making process. Women in Hong Kong have equal rights as men to vote and to stand for elections to the Legislative Council and the District Councils. On the advice of the WoC, active measures have been taken to increase women's participation in the Government advisory and statutory bodies. Furthermore, the WoC has, among others, launched the Capacity Building Mileage Programme in March 2004 to encourage women of different background and educational levels to pursue life-long learning and self-development.

6. **On public education**, it is equally important to tackle society's preconceived notions, roles and stereotyping of women, which tend to restrict the opportunities and options for women and their development. The WoC has therefore initiated a series of public education and publicity programmes and organised various seminars to reduce gender prejudices and stereotyping, as well as to raise public awareness of women-related issues.

7. In addition to the above initiatives, the HKSAR Government is providing a comprehensive range of services to meet the needs of women, including health, education, employment and welfare services.

8. It is the Government's **health care policy** that no one should be denied adequate medical treatment because of lack of means. With accessible and high quality public health care services in place, the health status of women in Hong Kong has steadily improved. The expected lifespan of women increased from 84.7 in 2004 to 85.5 in 2007, which compares favourably with those of most developed countries.

9. The HKSAR Government has injected substantial resources into **education**, one of the most important drivers for empowering women. Twelve-year free and universal basic education is provided to girls and boys with effect from the 2008-09 school year. The proportion of female students enrolled in post-secondary programmes is more than half (i.e. 53.5%) in 2007-08.

10. We also provide **continuing education and retraining opportunities** to those who wish to upgrade their skills and knowledge and enhance their employability, and majority of the participants of such programmes are women. Employment services are also available to assist those who wish to seek placements. A safety net is also in place through the **Comprehensive Social Security Scheme** to meet the basic needs of those in financial difficulties. In addition, to enhance the **protection for victims of domestic violence**, we have introduced amendments to the Domestic Violence Ordinance and strengthened the provision of preventive, supportive and specialised services to the victims and families in need.

11. Through the three-pronged strategy and continuous efforts as briefly described above, Hong Kong has been making good progress in advancing the status of women and in promoting the well-being and interests of women. That notwithstanding, we are conscious that there are areas that call for continual improvements. For example, we have to further promote gender mainstreaming; to further empower the less privileged women who are in their middle ages and are less skilled or educated; and to remove gender prejudices and stereotyping in society. The HKSAR Government is fully committed to advancing the well-being and interests of women, and we look forward to working closely with all sectors of our society and the international community in pursuing this important cause.

**Part Two: Progress in implementation of the critical areas of concern of the Beijing Platform for Action and the further initiatives and actions identified in the twenty-third special session of the General Assembly**

12. Our progress in implementing the critical areas of concern of the Beijing Platform for Action and further initiatives and actions identified in the twenty-third special session of the General Assembly, in particular on education and training of women, women and health, violence against women, women and the economy, women in power and decision-making and human rights of women, is set out in following paragraphs.

**Education and Training of Women**

13. The HKSAR Government is committed to promoting equal opportunities in education. The SDO renders discrimination in respect of admissions or access to benefits, facilities or services of students unlawful. The overall Government expenditure on education rose from HK\$54.5 billion (about US\$6.99 billion), accounting for 23.1% of the overall Government expenditure in 2004-05, to HK\$57.6 billion (about US\$7.38 billion), accounting for 23.2% of the overall budgeted Government expenditure in 2008-09. The Government also provides various subsidised schemes for local residents to receive vocational training and retraining and to pursue continuing education. These opportunities are open to all, irrespective of gender. They include vocational education and training courses offered by the Vocational Training Council (VTC), retraining courses offered by the Employees Retraining Board (ERB), subsidy provided under the Continuing Education Fund (CEF), as well as industry-specific courses offered under the Skills Upgrading Scheme (SUS). Women with different backgrounds and needs are able to benefit from these various subsidised training, retraining and continuing education opportunities.

**Twelve-year free education**

14. Nine-year universal basic education is available to all children aged six to 15, regardless of their sex, in Hong Kong from 1978. With effect from the 2008-09 school year, free education has been extended to twelve years to include senior secondary education provided by public sector secondary schools. The Education Ordinance empowers the Permanent Secretary for Education to serve a school attendance order if it appears to him that a child is not attending primary or secondary

school without any reasonable excuse. Failure without reasonable excuse to comply with the attendance order issued by the Permanent Secretary for Education is a criminal offence under the Education Ordinance.

### Primary and secondary education

#### *School curriculum*

15. It has always been the HKSAR Government's policy to provide equal education opportunities to students of both genders. The HKSAR Government does not agree with the practice of streaming students into different subject classes by gender, as this would bar boys and girls from access to the same curricula and would reinforce gender stereotyping.

16. The Education Bureau (EDB) issues circulars and organises teacher professional development programmes reminding schools to ensure that all students are given equal opportunities for participating in and studying all the subjects offered. When selecting teaching and learning materials such as textbooks, case studies, examples and illustrations, schools should exercise care to avoid any form of discrimination. Equality between the two genders and respect for each other's needs are among the core elements of our existing school curricula such as Social Studies, Religious Studies, Integrated Humanities and Liberal Studies at secondary level and General Studies at primary level. With the implementation of the New Senior Secondary Curriculum from the 2009-10 school year onwards, these elements will be further strengthened by the newly introduced core subject Liberal Studies and the elective subject Health Management and Social Care.

#### *Moral and Civic Education*

17. In 2001, the EDB advocated the promotion of Moral and Civic Education (MCE) as one of the key tasks in all schools, which aims at helping students to develop positive values and attitudes. Of the seven priority values to be promoted among students, "Respects for others", "Responsibility" and "Care for Others" are conducive to enhancing students' awareness of equal opportunities, gender equality and non-discrimination. To support teachers in the promotion of MCE, the EDB makes continuous efforts to provide relevant learning and teaching resources as well as professional development programmes for teachers.

### Higher education

18. There is no discrimination on the ground of gender in the rights to enjoy tertiary education and training. For instance, the eight University Grants Committee (UGC)-funded institutions admit students on the basis of their performance in academic and non-academic areas, including sports, music, and social services etc. In 2007-08, female students made up more than half (i.e. 52.5%) of first-degree graduates of UGC-funded programmes.

### Vocational education and training

19. Vocational institutions in Hong Kong adopt a policy of equality for students

of both genders. The admission criteria for vocational education and industrial training courses offered by the VTC are based on the applicants' education level and aptitude, irrespective of gender.

20. In 2007-08, about 40% of the graduates from the VTC's vocational education courses were women (compared with 37% in 2003-04). For some courses in disciplines such as Applied Science, Business Administration, Child Education and Community Services, Hotel, Service and Tourism Studies, Design, Printing, Textile and Clothing, more than 50% of their year-one intakes were female. As regards the VTC's industrial training courses, about 45% of the trainees completing training in 2007-08 were women (compared with 40% in 2003-04).

#### Retraining

21. Retraining is also available to people of both genders. The ERB was set up in 1992 to administer the Employees Retraining Scheme (ERS) to help local workers acquire new or enhanced vocational skills so that they can adjust to changes in the economic environment. With effect from 1 December 2007, the eligibility criteria of the ERS were relaxed to cover young people aged between 15 and 29 and people with education level at sub-degree or below, in addition to its original primary service targets, viz those aged 30 or above with junior secondary education or below. In the process of designing the course content and setting the entry requirements, the ERB accords equality to trainees of both genders. Since its inception, the ERB has offered about 1.3 million training places, of which 76% were taken up by female trainees. Female participation rate is particularly high for courses on domestic helper training, post-natal care, child care, personal care and beautician/hairstylist training.

#### Continuing education and skills upgrading for women

22. The HKSAR Government is committed to promoting lifelong learning. Different continuing education and training courses are available to enhance the quality of the local workforce and facilitate their adaptation to technological, economic and social changes. The courses are open to all, including housewives, through which they may prepare themselves to re-enter the job market or to develop their own interests.

23. The HK\$5 billion (approximately US\$640 million) Continuing Education Fund (CEF) was established in June 2002 to provide financial subsidies to eligible applicants aged from 18 to 65 to pursue continuing education. An applicant is eligible for a reimbursement of 80% of the course fees up to a cumulative sum of HK\$10,000 (approximately US\$1,280) upon completion of the registered CEF course(s). Among the 451,500 CEF applications approved as at end December 2008, around 57% of them were from women.

24. The HK\$400 million (approximately US\$51.3 million) SUS was launched in September 2001 to help low skill and low education employees to adapt to our economic restructuring. The Scheme currently covers 26 industries and has provided over 240,000 training places, benefiting about 120,000 in-service workers since its inception. Female trainees' participation rate is more than 52.7%.

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especially for industries such as import/export, retail, beauty care, elderly care and medical and health.

25. The Labour and Welfare Bureau also subvents non-governmental organisations (NGOs) to run informal adult education courses such as courses designed to improve basic literacy in Chinese, computer courses and general education courses. In the 2008-09 school year, a total of 735 subvented programmes were approved, involving HK\$10.06 million (approximately US\$1.29 million). Among the 16,000 training places provided in the year, about 80% were taken up by female trainees.

### **Women and Health**

26. The Department of Health (DH) provides a comprehensive range of affordable, accessible and quality services to address different health needs of women at various stages of life. At the same time, the Hospital Authority provides a comprehensive range of medical treatment and rehabilitation services to patients of both genders through hospitals and specialist clinics. Over the past five years, Government expenditure on health services rose from HK\$30.2 billion (about US\$3.88 billion), accounting for 14.8% of the overall recurrent budgeted Government Expenditure in 2004-05 to HK\$32.6 billion (about US\$4.19 billion), accounting for 15.2% of the overall recurrent budgeted Government Expenditure in 2008-09. With the provision of quality health services and technological advancement, the life expectancy at birth for women and men in 2007 were 85.5 years and 79.4 years respectively, increasing from the corresponding figures of 84.7 years and 79.0 years in 2004.

### **Overview of health state of women in Hong Kong**

27. The mid-2008 population in Hong Kong was 6,985,200, of which 47.2% was male and 52.8% was female. The life expectancy at birth for women in 2007 was 85.5 years. The Maternal Mortality Ratio has remained low. In 2007, it was 1.4 per 100,000 registered live births. The top three leading causes of death for women in recent years are cancer, heart disease and pneumonia respectively, whilst the top three most common female cancers are breast, colorectal and lung cancer.

28. Like other developed economies, Hong Kong faces the challenges posed by changes in health risk profile with the ageing population. An increasing disease burden from non-communicable diseases (NCD) is evident. In 2004, a Behavioural Risk Factor Surveillance System (BRFSS) was set up to collect information on health-related behaviours of the Hong Kong adult population, so as to monitor the trend, identify emerging health issues, and to plan, support and evaluate health promotion and disease prevention programmes. In 2008, the DH developed a strategic framework on prevention and control of NCD.

### **Breastfeeding**

29. The HKSAR Government is committed to promoting, protecting and supporting breastfeeding. The DH fully endorses the International Code of

Marketing of Breastmilk Substitutes (The Code) with the subsequent Resolutions of the World Health Assembly. The Code is implemented in all Maternal and Child Health Centres (MCHCs) which have a supportive breastfeeding environment, with the provision of health education activities, hotline service, professional breastfeeding counseling and skilled support to pregnant women and mothers. Through collaboration amongst various government departments, the Advisory Guidelines on Babycare Facilities will be issued to encourage the provision of desirable babycare facilities in government departments and public areas.

30. Breastfeeding has become more popular in Hong Kong in recent years. According to the breastfeeding survey conducted in MCHCs in 2007, the ever breastfeeding rate was 70.2% and the exclusive breastfeeding rate at 4-6 months was 13.3%, as compared with the corresponding figures of 62.2% and 8.3% in 2000.

#### Cervical Screening Programme

31. The DH, in collaboration with other health service providers, launched a territory-wide Cervical Screening Programme (CSP) in 2004 to encourage regular cervical screening among all women aged 25-64 years who are at risk of cervical cancer. The CSP aims to raise public awareness of the need for cervical screening and to improve the overall coverage rate of the target population so as to reduce the incidence and mortality rate of cervical cancer in Hong Kong. According to the survey, the ever-screening coverage rate among the target population in Hong Kong was over 70% in 2008.

#### Prevention of HIV and AIDS

32. To prevent HIV/AIDS among women, the DH launched various activities under its Special Prevention Programme and provided secretariat support to the Advisory Council on AIDS and related Committees. Activities include production and provision of educational tools; organisation of public education activities; capacity building of health care workers (train-the-trainer); provision of technical/backup support; and organisation of AIDS prevention activities targeting high-risk groups. An AIDS Trust Fund, established in 1993, continues to provide funding support for NGOs to conduct promotional projects including those targeting women.

#### Health service for women with disabilities

33. The HKSAR Government is aware of the need for women with disabilities to have easy access to health services and is committed to providing a barrier-free access (BFA) environment. The DH has maintained continuous liaison with the Architectural Services Department on BFA improvement works required in DH clinics, including installation of lifts and disabled toilets. Other ongoing projects include modification of enquiry counters to suit clients in wheelchairs, installation of induction loop system to serve clients using hearing aid device, and the provision of examination couches designed for disabled women.

## **Violence against Women**

### **Domestic Violence**

34. The HKSAR Government is committed to preventing and tackling domestic violence.

35. Our criminal legislative framework sanctions all acts of violence, irrespective of the relationships between the abusers and the victims, and independent of where the violent acts occur. As to the civil legislative framework to deal with domestic violence, the HKSAR Government has in 2008 amended the Domestic Violence Ordinance (DVO) to further strengthen the protection for victims of domestic violence. Among others, the scope of the Ordinance has been greatly expanded, from covering molestation between married couples and heterosexual cohabitants, to cover also former spouses/cohabitants, as well as immediate and extended family members. These protected persons are able to apply to the Court for injunction orders against molestation by their spouses or family members.

36. The Police handles all domestic violence and child abuse reports professionally, and conducts thorough investigation according to the circumstances of each report. Where there is sufficient evidence of an offence, the Police will take firm and decisive action to effect arrest and prosecution. The Police has since November 2006 implemented a series of enhancement measures to strengthen its response at the initial handling and subsequent investigation stage of a domestic violence report with a view to improving proficiency in scene handling, early identification of risk factors, timely follow-up investigation and timely referral to social workers and after-care service.

37. The prosecuting authorities also accord priorities at all stages of proceedings, and have implemented various measures to facilitate fast-tracking of cases involving vulnerable witness.

38. The Social Welfare Department (SWD) offers a wide range of preventive, supportive and specialised services to help victims of domestic violence and families in need. Over the past few years, the HKSAR Government has devoted additional resources to enhance services in this regard, including strengthening social work manpower, enhancing the 24-hour hotline service, increasing the capacity and support services of refuge centres for women, and strengthening clinical psychological support for victims of domestic violence, including children witnessing domestic violence, etc. In 2008-09, the total annual recurrent funding for services for victims of domestic violence and families in need amounted to HK\$1.58 billion (about US\$203 million).

39. To facilitate intervention at an earlier stage, the HKSAR Government has taken various preventive measures to identify the vulnerable families and provide assistance as early as possible before their problems escalate into more serious incidents, including launching a Family Support Programme, a Comprehensive Child Development Service and a pilot Child Fatality Review Mechanism.

40. To prevent re-occurrence of abuse, SWD launched a two-year pilot project



on Batterer Intervention Programme (BIP) from January 2006 to March 2008 to develop suitable group treatment models for batterers. The pilot had proven to be effective in helping abusers to change their abusive behaviour. SWD would further develop different treatment models for other types of abusers, their spouses/partners and their children. In connection with the commencement of the Domestic Violence (Amendment) Ordinance 2008, SWD has also launched in August 2008 a new anti-violence programme (AVP) as provided for under the DVO that seeks to change the abusers' attitude and behaviour. AVP is psycho-educational in nature and is designed for abusers involved in different types of abuse cases.

41. Training for professionals dealing with domestic violence has also been strengthened. The Police has enhanced its training programmes to raise the capability of police officers in handling and investigating domestic violence cases, with particular focus on risk assessment, questioning techniques, conflict management, sensitivity and awareness of family dynamics, victim psychology, and service interface with welfare units etc. Training on the handling of domestic violence cases is provided to all police officers at various stages of their career. SWD regularly arranges training programmes for social workers and related professionals, including teachers, childcare professionals, medical and allied health professionals, and the Police, to enhance their professional skills in handling domestic violence. SWD also publishes and updates from time to time relevant procedural guidelines for professionals in the relevant field to strengthen multi-disciplinary collaboration in handling domestic violence cases.

42. Continuous efforts have also been made to enhance public awareness of the serious impact of domestic violence, encourage families in need to seek help and promote the concept of neighbourhood watch through various publicity and public education initiatives.

#### Sexual Violence

43. The HKSAR Government has long attached importance to serving the needs of victims of sexual violence.

44. Following a review of the services for victims of sexual violence, the HKSAR Government has in 2007 introduced a new comprehensive, one-stop service model involving multi-disciplinary assistance for such victims. The new service model enables victims to receive service and go through all relevant procedures in a convenient, safe, confidential and supportive environment, minimising also the need for the victims to repeat their unpleasant experience.

45. A new multi-purpose crisis intervention and support centre (the Centre) was established in March 2007. The Centre provides a 24-hour hotline and crisis intervention / immediate outreaching service for victims of sexual violence. Since May 2008, the Centre has started to provide short-term residential services (with a capacity of 80 places) for victims of sexual and domestic violence who need temporary accommodation, as well as individuals or families in crisis.

46. The Police has also provided training to its officers and drawn up specific internal guidelines for handling sexual violence cases to safeguard victims' privacy

and help reduce the trauma that they may experience.

## **Women and the Economy**

### **Women's participation in the economy of Hong Kong**

47. Women have been actively participating in the economy of Hong Kong. In 2008, 50% of women aged 15 and over were economically active, accounting for 43% of the total labour force (excluding foreign domestic helpers). The corresponding figures in 2004 were 49% and 41%.

### **Protection for employees and migrant workers, including foreign domestic helpers**

48. The Employment Ordinance (EO) is the principal law governing conditions of employment. It prescribes various employment rights, benefits and protection such as rest days, holidays with pay, paid annual leave, sickness allowance, maternity protection, severance payment, long service payment and employment protection.

49. Migrant workers, including foreign domestic helpers (FDHs), enjoy the same rights, benefits and protection provided under the EO as do local workers, subject to their meeting certain qualifying requirements (such as the length of service) under the EO. They are also entitled to additional benefits as set out in their Standard Employment Contracts. For example, FDHs are entitled to minimum allowable wage (MAW) currently set at HK\$3,580 (or approximately US\$459) per month, free passage, free medical treatment and free accommodation. These are not usually available to local workers.

50. Migrant workers aggrieved by infringement of their contractual or statutory employment rights and benefits may, as in the case of their local counterparts, lodge claims with the Labour Department (LD), which will provide free conciliation service to assist them in resolving their disputes with the employers. If the disputes cannot be resolved by conciliation, the imported worker or FDH concerned, like any local worker, may seek adjudication at the Labour Tribunal or the Minor Employment Claims Adjudication Board, depending on the claimed amount. As in the case of local workers, migrant workers who are owed wages and other termination benefits by insolvent employers may apply for ex-gratia payment from the Protection of Wages on Insolvency Fund. If suspected breaches of the EO are detected and the complainants are willing to be prosecution witnesses, LD would conduct offence investigation.

### **Monitoring of employment agencies**

51. The operation of employment agencies (EAs) is regulated through the Employment Agency Regulations under the EO, pursuant to which the HKSAR Government processes licence applications, checks compliance of the EAs with the requirement under the EO to keep records of the job-seekers and employers, and undertake regular inspections and investigatory inspections to the EAs for complaints about illegal operation and overcharging of agency fees.

52. According to the laws, an EA can only charge job-seekers, including FDHs, a commission of not more than 10% of the first month's salary received on successful placement. Any EA contravening the Regulations is liable to a maximum fine of HK\$50,000 (approximately US\$6,410) upon conviction. In addition, the Government may revoke an EA's licence on justifiable grounds such as illegal operation before obtaining a licence or overcharging of commission from job-seekers.

#### Employment services

53. LD provides a comprehensive range of free employment assistance to assist job-seekers; and recruitment services to help employers fill their vacancies. A wide range of employment services is provided by LD through its network of 12 Job Centres, the Telephone Enquiry Service Centre and the Interactive Employment Services website to all job-seekers, irrespective of gender. In 2008, a total of 168,740 job-seekers were registered, of whom 55% were female. Among those placed by referrals, 57% were female.

54. In June 2005, LD launched the Work Trial Scheme to enhance the employability of job-seekers who have special difficulties in finding jobs. Since the Scheme was launched, up to the end of 2008, a total of 2,167 job-seekers were placed into work trials, of whom 58% were women.

55. Also, LD set up two Youth Employment Resource Centres called "Youth Employment Start" (Y.E.S.) in December 2007 and March 2008 respectively to enhance the employability of young people. The Y.E.S. provides one-stop employment and self-employment assistance to young people aged between 15 to 29, irrespective of gender, to facilitate their access to the latest labour market information, and help them secure firm footing in the labour market for sustainable development. By the end of 2008, the two Y.E.S. together provided services to 63,636 young people. Altogether 14,663 young people have registered as members, of whom 53% were women.

#### Child care services

56. The HKSAR Government provides various child care services to assist working mothers and fathers. As of December 2008, there were 682 standalone child care centre places for children under three years old. Some kindergartens also provide child care services for children under six years old, offering around 72,000 places in total. With a view to assisting parents who cannot look after their children due to sudden engagement or need to work long or irregular hours, some child care centres also provide occasional child care service and/or extended hours service. As of December 2008, there were 497 occasional child care places and 1,244 extended hours child care places.

57. Since October 2008, SWD has pilot run a new Neighbourhood Support Child Care Project. The project comprises two service components: (a) "centre-based care group" for children aged three to under six years old; and (b) "home-based child care group" for children aged under six. The SWD commissions organisations to operate the services under the project. The operators train women to be home-based child carers, who will look after their neighbour's children at home or

assist in the work of the centre-based care groups.

58. For children aged between six and twelve, we have the After School Care Programme, which includes, among others, homework guidance, meal service, parent guidance and education, skill learning and other social activities. As at December 2008, there were about 6,000 after school care places. Families with proven social and financial needs will be granted fee exemptions/subsidy for the above child care services.

### **Women in Power and Decision-making**

59. The right for Hong Kong residents to vote and to stand for election is provided for in the Basic Law, whereas the right for every permanent resident, irrespective of gender, to take part in the conduct of public affairs is provided for in the Hong Kong Bill of Rights. Article 26 of the Basic Law provides that Hong Kong permanent residents shall have the right to vote and to stand for election in accordance with law. Article 21 of the Hong Kong Bill of Rights provides that every permanent resident shall have the right and the opportunity, without distinction of any kind including sex, to take part in the conduct of public affairs.

### **Participation of women in public affairs**

60. Women are actively participating in public affairs in Hong Kong. In the 2008 Legislative Council election, there were about 1.67 million registered female voters on the electoral register, representing 49.6% of all the registered electors in Hong Kong. The turnout rate of female voters was 44.5%, against the total turnout rate of 45.2%. Of the 201 candidates, 38 were women. 11 of them were elected, taking up 18.3% of the membership of the 60-member Legislative Council.

61. Out of 534 members serving on the current term of the District Councils (DC) (2008 - 2011), 94 are women. This figure represents a 4% increase in the number of women who served on the last term of the DC (2004 - 2007) and over 30% when compared to the term of 2000-2003. We will continue to encourage more women to participate in district affairs and identify suitable women for appointment.

### **Recruitment in the Civil Service**

62. The recruitment to the Civil Service of the HKSAR Government is based on the principle of open and fair competition. Selection of candidates for appointment is made on the basis of merits regardless of their gender. The aim is to appoint "the best person for the job". The percentage of women in the total number of civil servants is increasing. As at 31 December 2008, women made up 34.3% of the total number of civil servants and 31.2% of the total number of directorate officers, representing an increase of 0.7% and 4.9% respectively as compared with the situation as at 31 December 2004.

### **Advisory and statutory bodies**

63. Currently, there are over 400 Government advisory and statutory bodies

(ASBs) advising the HKSAR Government on a wide range of issues that have direct relevance to the everyday life of women and men in Hong Kong. Appointments to ASBs are made on the basis of merits, taking into consideration an individual's ability, expertise, experience, integrity and commitment to public service, regardless of gender. That said, the HKSAR Government considers a balanced gender composition would enable the perspectives and concerns of both men and women to be fully reflected. On the advice of the WoC, the HKSAR Government has since January 2004 set a gender benchmark of 25% as an initial working target for appointments to ASBs. A proactive approach was taken to reach out, identify and cultivate potential female candidates. In December 2005, the gender benchmark target was met in overall terms. Since then, women's participation in ASBs has continued to improve. As at December 2008, women took up 27.6% (1,484 posts) of the appointed non-official posts of ASBs, compared with a women participation rate of 24.8% (1,188 posts) in June 2005 and 17% (779 posts) in June 2000.

### Rural Elections

64. The Heung Yee Kuk is a statutory body to advise the HKSAR Government on New Territories affairs. The election of Heung Yee Kuk's Chairperson, Vice-chairpersons, and its members and councillors, along with the election of Chairpersons of Rural Committees (RCs) and Village Representatives of villages, form the three levels of rural elections in Hong Kong. The HKSAR Government enacted the Village Representative Election Ordinance in 2003 to bring rural elections under statutory control. The Ordinance ensures that electoral arrangements are consistent with the requirements of the Hong Kong Bill of Rights Ordinance and the SDO. Village Representatives make up the 27 RCs, and the Chairpersons and Vice-chairpersons of RCs are eligible to elect the Chairperson and Vice-chairpersons of the Heung Yee Kuk on a one-person-one-vote basis. Women and men enjoy equal rights at all the three levels of rural elections. As at December 2008, 29 Village Representatives, five Executive Committee members of RCs and five Heung Yee Kuk Councillors were women, as compared with the corresponding figures of 21, two and five in May 2005.

### Human Rights of Women

65. The rights and freedom of the residents of Hong Kong are protected by the Basic Law. CEDAW was extended to Hong Kong in 1996. The SDO and the Family Status Discrimination Ordinance (FSDO) render unlawful discrimination on the grounds of sex, pregnancy, marital status or family status in specified areas of activity. We have been actively promoting public awareness of the human rights instruments and the equal opportunities legislation.

### The Basic Law

66. The rights and freedom of the residents of Hong Kong are guaranteed by the Basic Law (BL) of the HKSAR, which is our constitutional document. Article 4 of the BL stipulates that Hong Kong shall safeguard the rights and freedoms of the residents of Hong Kong and of other persons in the Region in accordance with law. The fundamental rights of the residents are set out in Chapter 3 of the BL. For

example, Article 25 provides that all Hong Kong residents shall be equal before the law, Article 26 provides that the Hong Kong permanent residents shall have the right to vote and to stand for election in accordance with law, and Article 27 provides that Hong Kong residents shall have freedom of speech, of the press and of publication, freedom of association, of assembly, of procession and of demonstration, and the right and freedom to form and join trade unions, and to strike.

67. In addition, Article 39 affirms that the provisions of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights as applied to Hong Kong shall remain in force, and shall be implemented through the laws of the HKSAR.

68. The Hong Kong Bill of Rights Ordinance and the provisions of all UN human rights treaties applicable to the HKSAR, including CEDAW, continue to apply.

#### Convention on the Elimination of all Forms of Discrimination against Women

69. The CEDAW was extended to Hong Kong in 1996. The HKSAR Government's second periodic report under CEDAW, as part of China's report, was submitted to UN in 2004 and was examined by the UN Committee on the Elimination of Discrimination against Women (CEDAW Committee) in August 2006. The efforts made by the HKSAR Government and the WoC in promoting the well-being and interests of women were recognised by the CEDAW Committee. The next periodic report under CEDAW will be due in September 2010.

70. The HKSAR Government has been promoting the public awareness of the CEDAW. The Convention, together with the concluding comments of the CEDAW Committee after the hearing of the initial report and second report under the Convention, were uploaded onto the Government website. The text of the Convention was published and widely distributed to the public.

#### Sex Discrimination Ordinance

71. The SDO was enacted in July 1995 and the entire Ordinance came into force in December 1996. It renders unlawful discrimination on the grounds of sex, marital status or pregnancy in specified areas of activity including employment, education, provision of goods, facilities or services, disposal or management of premises, eligibility to vote for and to be elected or appointed to advisory bodies, activities of clubs, and activities of Government in Parts III and IV of the Ordinance. Part IV of the SDO also outlaws sexual harassment and Part V makes it unlawful to apply any discriminatory practices or to publish any discriminatory advertisements. The SDO binds both public and private sectors.

#### The Equal Opportunities Commission

72. The SDO also provides for the establishment of the Equal Opportunities Commission (EOC), an independent statutory body which, among other things, is tasked with the responsibility of eliminating sex discrimination and promoting equality of opportunity between men and women. The EOC, formally established on 20 May 1996, started full operation on 20 September 1996.

73. The EOC performs functions which include conducting formal investigation, handling complaints, encouraging conciliation between parties in dispute, providing assistance to aggrieved persons, and undertaking public education and research programmes to promote equal opportunities in the community. The Commission is also empowered to issue codes of practice to provide practical guidelines to facilitate the public's compliance with anti-discrimination legislation. In addition, the EOC also plays the role of keeping under review the working of the SDO.

Family Status Discrimination Ordinance

74. The FSDO was enacted in June 1997 and came into operation in November of the same year. It renders it unlawful to discriminate against a person who has family status in specified areas of activity similar to those covered under the SDO, and provides protection to those who have responsibility for the care of an immediate family member. The EOC is responsible for the enforcement and implementation of FSDO.

**Part Three: Institutional development**

75. To demonstrate its commitment to further advancing the well-being and interests of women in Hong Kong and in response to the CEDAW Committee's concluding comments in 1999, the HKSAR Government set up the WoC in January 2001 as a high-level central mechanism to advise the Government on women's issues and to champion for women's interests. Appointed by the Chief Executive of the HKSAR, the WoC is tasked to take a strategic overview on women issues; develop a long-term vision and strategy for the development and advancement of women; advise the Government on policies and initiatives which are of concern to women; and assist the Government in implementing the CEDAW and other international instruments related to women. The WoC is chaired by a non-official, supported by a dedicated secretariat and provided with a budget. The HKSAR Government has allocated HK\$129 million (approximately US\$16.5 million) for the Commission since its establishment in 2001.

76. The WoC has a mission "to enable women in Hong Kong to fully realise their due status, rights and opportunities in all aspects of life". In achieving this mission, the WoC has adopted a three-pronged strategy, namely the provision of an enabling environment, empowerment of women and public education. The WoC plays the strategic roles to champion women's causes, inspire and catalyse changes, and mobilise community resources. It also maintains close liaison and collaborates with local women's groups in taking forward its initiatives, and actively participates in the international arena. In the past eight years, the WoC has made substantial progress in its work.

**Provision of an Enabling Environment**

Gender Mainstreaming

77. The WoC sees gender mainstreaming as one of the key strategies in

achieving women's advancement and gender equality. With the integration of gender perspective in legislation, policies and programmes, gender mainstreaming seeks to ensure both genders to have equal access to and benefit from society's resources and opportunities, such that women and men can both fully develop their potential and contribute to society.

78. Since 2002, the HKSAR Government has, on the WoC's advice and with its assistance, implemented gender mainstreaming in various policy and programme areas. The WoC has also developed a Gender Mainstreaming Checklist (the Checklist) to assist Government officers in applying gender mainstreaming in a more systematic way. To date, the Checklist has been applied to 28 policy/programme areas. In addition, staff of many bureaux and departments have also applied the gender mainstreaming concept in the course of their daily work, taking into account the needs and perspectives of both genders. We will continue to progressively adopt gender mainstreaming in more policy and programme areas.

79. To facilitate promotion of gender mainstreaming in the HKSAR Government, the WoC has assisted the Government in setting up a network of Gender Focal Points (GFPs) in all bureaux and departments in 2003, who serve as the resource persons and liaison points for their respective organisations. In addition, with the assistance of the WoC, the HKSAR Government provides regular training to civil servants to enhance their awareness of gender-related issues. To date, over 3,600 civil servants of various grades and ranks have attended various classroom gender-related training. To further promote the implementation of gender mainstreaming, the WoC issued a booklet in January 2006 to consolidate the application experience of the Government for sharing purposes. On the advice of GFPs, the HKSAR Government launched in January 2009 a web-portal on gender mainstreaming as a resource and experience-sharing platform to help intensify understanding of the gender mainstreaming concept for all civil servants. A promotional leaflet has also been produced and distributed to all civil servants in January 2009.

80. To promote gender mainstreaming in the community, the WoC has established a GFP Network in District Councils (DCs) in October 2008. All 18 DCs are very supportive of the initiative and each DC has designated a Member as the GFP.

Family-friendly Employment Policies and Practices

81. To enable women's participation in various aspects of life, it is important to provide an enabling environment in which women and men can share out family responsibilities whilst achieving at the same time a better balance between work, family and life. Since 2006, the WoC has been promoting the adoption of family-friendly employment policies and practices (FEPP) in Hong Kong, including a research study jointly conducted with the EOC on the needs, awareness, and prevalence of FEPP in Hong Kong in the first half of 2006; publication of a promotional leaflet on FEPP for distribution to different sectors; and organisation of a large-scale seminar on FEPP in collaboration with the LD and other stakeholders in mid-2007. In 2008 and 2009, the WoC has been collaborating with the LD to collect examples of good practices of FEPP and plans to publish a booklet to facilitate



experience sharing and further promotion across different sectors of the community.

### **Empowerment of Women**

#### **Capacity Building Mileage Programme**

82. Launched in March 2004, the Capacity Building Mileage Programme (CBMP) is a key initiative of WoC in empowering women. CBMP is initiated by the WoC and implemented jointly by the Open University of Hong Kong, the Commercial Radio and nearly 80 partnering women's groups and NGOs.

83. CBMP is a flexible learning programme tailored to the needs and interests of women. It is mainly delivered through radio broadcasting and supplemented by optional learning activities and face-to-face courses delivered by NGOs. The courses include subjects such as managing interpersonal relationships, finance management, health and other practical issues in daily life. Since its launch, it has encouraged women of different backgrounds and educational levels to pursue life-long learning and self-development. Up to November 2008, the cumulative number of enrolments exceeded 28,300, not to mention the large network of audience reached through the radio programmes. Feedback from students was that they had benefited from the programme in terms of increased interests in learning, enhanced confidence and knowledge in resolving problems in daily life, and sharpened communication skills which help improve their interpersonal relationships in the family and employment contexts.

84. CBMP was first operated on a pilot basis for three years. With the proven success of the CBMP in encouraging women's life-long learning, starting from March 2007, the HKSAR Government has provided funding to support the continued operation of CBMP, such that the CBMP course fee has been set at a relatively low level to provide affordable learning opportunities for women.

#### **Women's Participation in Government Advisory and Statutory Bodies**

85. The WoC also sees the need and potential of women to participate more fully in the decision-making processes. On the recommendation of the WoC, the HKSAR Government has undertaken to take gender composition into account in appointments to ASBs, with an initial working target of 25% as a benchmark for women's participation. In December 2005, the gender benchmark target was met in overall terms. Since then, women's participation in ASBs has continued to improve. As at December 2008, women took up 27.6% of the appointed non-official posts of ASBs. (For details, please refer to paragraph 63.)

### **Public Education**

86. The WoC has launched public education and publicity programmes to reduce gender prejudice and stereotyping, as well as to raise public awareness of women-related issues. They include organising open forums and seminars, producing three TV drama series "Women with Dreams" on capacity building and empowerment of women, commissioning radio programmes to promote awareness of gender issues, producing announcements of public interest on television and radio and

posters, and organising annual celebration events for the International Women's Day on 8 March every year. In November 2007, WoC organised a large-scale exhibition on "*Women of Hong Kong – A Century of Contribution and Development*" to showcase the development of women in Hong Kong in the areas of work, family, education and social participation in the past century and to pay tribute to women's contribution to the society. The exhibition material has been duplicated and put on show at various Town Halls, public libraries and Government offices as well as the Museum of History from July 2008 to March 2009.

87. Apart from the educational and publicity efforts targeted at the general public, the WoC attaches importance to the promotion of gender awareness in school education. It has maintained regular dialogue with the EDB and tendered advice on the development of the curriculum from the gender perspective, in order to promote gender awareness and reduce gender stereotyping of students in their early stages of life and to make a sustainable impact. The WoC has also recommended that sufficient gender training should be provided to teachers to enhance their gender awareness. To generate interest, awareness and more thorough understanding of various gender issues among the students, the WoC organised a debate competition on gender issues for secondary and tertiary students in October and November 2008.

#### **Collaboration with Women's Groups / Non-governmental Organisations**

88. The WoC recognises and appreciates the important contribution that the women's groups and non-governmental organisations (NGOs) have made in advancing the interests of women in Hong Kong throughout the years. To enhance communication with the non-governmental sector, as well as to create synergy with other bodies, the WoC seeks to establish partnership with women's organisations and NGOs through various activities. For instance, it regularly pays visits to local women's organisations, service agencies and districts, and organises from time to time discussion fora and seminars and invites women's groups and NGOs to participate and exchange views. To further strengthen collaboration with women's groups and other stakeholders, the WoC has set up in 2006 a Working Group on Collaboration to develop the strategy and take forward initiatives on this front.

#### **International Liaison**

89. The WoC also maintains a close network with relevant regional and international bodies. WoC Members regularly participate in regional and international conferences, such as the annual session of the UN Commission on the Status of Women (CSW), which provide good opportunities for dialogue with overseas experts and bring outside perspectives to the Commission's work. Members are also able to keep abreast of the key women issues in the regional and international arena. At the 52<sup>nd</sup> session of CSW in February 2008, the WoC co-organised a workshop with the Labour and Welfare Bureau of HKSAR Government and the Permanent Mission of the People's Republic of China to the UN to share with participants Hong Kong's experience in empowering women through education and capacity building.

7.7

#### **Part Four: Remaining challenges and actions to address them**

90. Women in the Hong Kong have come a long way over the past few decades. Through the three-pronged strategy and continuous efforts as described in Parts II and III, the HKSAR Government has, with the advice and assistance of the WoC, made good progress in advancing the status of women and in promoting the well-being and interests of women in Hong Kong in the past few years. We also recognise and appreciate the significant contributions that women's groups and other NGOs have made in this respect. That said, we are not complacent about the current situation. While the status of women has been enhanced in various aspects, there are areas that call for continual improvements. There are challenges ahead in advancing the status of women further and achieving gender equality in society.

91. We have been implementing gender mainstreaming in various Government policy and programme areas on an incremental basis since 2002. While we are making good progress so far, persistent effort is necessary to further promote gender mainstreaming within the Government and continuous training for civil servants is also a must. The HKSAR Government will support the WoC in working closely with District Council Gender Focal Points in promoting the incorporation of gender perspectives into devising and implementing district projects and activities. We will also continue our efforts in sharing the Government's experience in implementing gender mainstreaming with District Councils and other stakeholders in the community. In the longer run, progressive efforts will be made to further promote application of gender mainstreaming outside the Government.

92. In respect of economic participation, middle-aged women, who are less skilled or educated, encounter greater difficulties in seeking employment than other groups. A relatively larger proportion of women are engaged in lower-income jobs and casual labour, and in general, the median monthly employment earnings of women are lower than that of men. The HKSAR Government has been putting lots of efforts and resources in empowering women through education and capacity building, and such efforts will continue. A range of employment services is also available to help them remain or get into the labour market.

93. Hong Kong, like other economies, was recently hit by the financial tsunami. During an economic downturn, layoffs and salary cut are not uncommon. Non-skilled labour would become even more vulnerable in seeking and securing employment. The HKSAR Government will continue to strengthen the workforce through training and retraining, and create employment opportunities through various public projects and programmes. Separately, we will continue to encourage women of different backgrounds and educational levels to pursue life-long learning and self-development through the Capacity Building Mileage Programme.

94. The advancement of women can be enhanced if the root of the problem, including gender prejudices and stereotyping, is removed. While society is advancing in various aspects, there are still prejudiced misconceptions on the roles, values, images and abilities of the two genders, which hinder women from developing their potential to the fullest. It takes time to change these misconceptions and stereotyping, and requires sustained long-term public education efforts. The HKSAR Government will continue its efforts in public education to eliminate gender

prejudices and stereotyping.

95. The HKSAR Government is fully committed to promoting the well-being and interests of women in Hong Kong, and addressing the changing needs and concerns of women. We will continue to work closely with the WoC and adopt the three-pronged strategy, namely the provision of an enabling environment, empowerment of women and public education. We will also continue to collaborate with stakeholders concerned, including women's groups, other NGOs, schools, the business sector, academics and the wider community, in achieving the important cause of advancing the well-being and interests of women in Hong Kong.