

11 July, 2023

The Universal Periodic Review (UPR) mechanism of the United Nations Human Rights Council (UNHRC)

Introduction Of The Organization

The Federation of Hong Kong & Kowloon Labour Unions (HKFLU) is dedicated to safeguard labour rights. HKFLU has a total of 173 affiliated and associated unions, representing a wide range of industries, including electrical & mechanical industry, catering industry, transport industry, service industry, information technology & electronics industry, civil and public services. HKFLU also plays an active role on social affairs, it provides various community services through its offices and subsidiaries.

Women Affairs Committee as one of functional committees under HKFLU, which is aimed to fight for the legitimate rights of women, empower and develop the capacities of women. Moreover, The Committee provides a spectrum of services to address the multifarious needs of women and their families.

Preface

Chapter III of the Basic Law of the Hong Kong Special Administrative Region (HKSAR) of the People's Republic of China stipulates that HKSAR residents shall have fundamental rights, and residents are entitled to have employees' rights & benefits, social security supports, etc.

And article 48 of the Constitution of the People's Republic of China stipulates that women in the People's Republic of China shall enjoy equal rights with men in all spheres of life: political, economic, cultural, social and familial. And, the article says the state shall protect the rights and interests of women, implement a system of equal pay for equal work, and train and select female officials.

After the Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region (the National Security Law) took effect on 30 June 2020, the fundamental rights, freedoms and benefits of HKSAR residents remain unchanged.

Women's Rights

Women's Right to Education

In the past, women were destined to play only subordinate and supportive role to the men, and commonly stereotyped as family carers. But now, the perception is changed. The educational achievement has been the major cause of change.

According to "Hong Kong Women in Figures 2021", it shows the proportion of female aged 15 and over who have received post-secondary education has increased from 23.7% in 2010 to 31.9% in 2020. In 2020/21 academic year, female students constituted 52.3% of total student population, and over half of the female students enrolled in sub-degree, undergraduate and taught postgraduate programmes, as well as having right to choose the course they are interested.

Women's Right to Work

With improvement in the level of educational attainment, women in HKSAR have participated more actively in economic activities and labour market. The labour force participation rate for women continues to grow since 1985, Census and Statistics Department shows the latest rate is 52.8% (as at Feb 2023). The proportions of female managers/administrators and professionals increased gradually from 67.8% in 2010 to 76.8% in 2020¹. Furthermore, in the past decade, there was an increasing participation of women in different professionals, for example, solicitors holding practicing certificates and registered doctors. Especially female certified public accountants constituted 51% in 2020 and outnumbered to male certified public accountants.

In addition, more and more women work in male-dominated occupations, such as one of associated member of HKFLU “Hong Kong Franchised Bus Employees General Union”, they have many female bus captains as trade union members. According to the membership record of another associated member of HKFLU “The Federation of Hong Kong Electrical & Mechanical Industries Trade Unions”, they also have more female registered electrical workers.

Equal Opportunities and non-discrimination

Women’s Equal Opportunities

Equality of men and women is a principle enshrined in many international human rights conventions applicable to HKSAR. Women have equal opportunities in Hong Kong, which remains unchanged under the National Security Law.

In 2015, the Chief Executive announced in the Policy Address that the gender benchmark for appointing female non-official members of advisory and statutory bodies raised the target from 30% to 35%. As at December 2022, there are 36% female of the non-official members of government-appointed advisory and statutory bodies. And the current-term Government is the highest account of female principal officials among all previous terms of Government, there are 6 female of 26 principal officials. As well as, the current-term of Legislative Council has 16 female of 89 legislative councilors, which is the highest number among all previous terms.

Furthermore, women still have right to participate in electoral activities. HKFLU appoints a female representative to be the candidate of the election of Labour Advisory Board. The latest election was completed on 12 November 2022, and HKFLU’s female representative won the election as one of the elected members. HKFLU also appoints female representatives to participate Election Committee Subsector Ordinary Elections. It reflects that women have equal right in politics remains unchanged under the National Security Law.

Non-discrimination and Integration of Ethnic Minorities

Hong Kong is a multi-cultural city, there were 301,344 ethnic minorities in 2021 (excluding foreign domestic helpers). About 15.2% of them were born in Hong Kong, and most of them attended local education, so around 65.1% of ethnic minorities aged 5-14 were able to read Chinese. In addition, as many Pakistanis were born in Hong Kong and of school ages, they had a relatively high proportion being able to read/ write Chinese when compared to other ethnic groups.

From 2006/07 to 2012/13, the government implemented the “designated schools” system, there were around 36 “designated schools” for ethnic minorities to apply a school place. But, “designated schools” were lack of Chinese learning environment, and the Chinese language curriculums provided were too simple and easier than other mainstream school. Thus, the government abolished the system in 2013/14, it was an important policy to enhance the ability

¹ *Hong Kong Women in Figures 2021*. (n.d.). Labour and Welfare Bureau Women’s Commission.
https://www.women.gov.hk/download/research/HK_Women2021_e.pdf

to speak Cantonese and read/ write Chinese. Moreover, the policy was encouraging the integration of ethnic minorities into the community, and providing an equal learning environment and education.

Sahal Zaman, the first ethnic minorities 10 years old boy who won the Hong Kong Film Awards in 2023. Sahal is studying at mainstream primary school now, he speaks fluent Cantonese, and can read/ write Chinese. His success shows that the policy of abolishing “designated schools” system as a milestone of non-discrimination and integration of Ethnic Minorities.

Child Care Service

HKFLU Women Affairs Committee issued a survey in March 2023, the result reflected that there were 91% women agreed that they would join labour market if the government provided child care service to them. Currently, the social welfare department is providing different types of child care services, such as child care centres, after-school care centres, and the Neighbourhood Support Child Care Project, etc. But, for parents, they need to take time for picking up and dropping off their children from school to service centre, it as a barrier for parents (especially mothers) to join labour market.

Thus, HKFLU Women Affairs Committee suggested that the government should provide child care service directly at primary schools. It is glad to hear that the government adopts the suggestion and will launch “On-site After School Care Service Pilot Programme” soon.

Social Security

For easing working poverty and inter-generational poverty, the government launched Working Family Allowance Scheme in 2016. During COVID-19 epidemic, many people were underemployed, the underemployment rate was 3.3%, it was the highest proportion in the past ten years. For supporting the underemployed to overcome the income shortfall during epidemic, the government relaxed the working hour requirements of Working Family Allowance Scheme to let more underemployed people were qualified to apply the scheme.

Moreover, the government also provided a special allowance for Working Family Allowance and Student Financial Assistance households under Anti-epidemic Fund. It reflected that HKSAR government attach great importance to residents’ basic needs.

Conclusion

Hong Kong attaches great importance to residents’ fundamental rights whatever their ethnicity. 2023 is the third anniversary of the implementation of the National Security Law, residents including Chinese or ethnic minorities, are still having women’s rights, equal opportunities of women and ethnic minorities, and the government still provide social services and social security to the residents in need.

**Women Affairs Committee Of
The Federation of Hong Kong & Kowloon Labour Unions**

Hong Kong, China