

ARTICLE 7
EQUALITY IN POLITICAL AND PUBLIC LIFE
AT THE NATIONAL LEVEL

“States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right:

- a. To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;*
- b. To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;*
- c. To participate in non-governmental organisations and associations concerned with the public and political life of the country.”*

Bill of Rights

114. As mentioned in the Initial Report, pursuant to Article 21 of the Hong Kong BOR, every permanent resident shall have the right and the opportunity, without distinction of any kind including sex, and without unreasonable restrictions, to take part in the conduct of public affairs, directly or through freely chosen representatives; to vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot; and to have access, on general terms of equality, to public service in Hong Kong.

Women in the Legislative Council and District Organisations

115. Women have equal rights as men to vote and to stand for elections⁴ to District Councils and Legislative Council, including functional constituencies. Under the relevant legislation, a person’s gender is not a

⁴ The system of the HKSAR Government is covered in the General Profile section (paragraph 5 to 28 in Part I).

criterion, either direct or indirect, to qualify a person as an elector or a candidate in elections, including functional constituency elections.

116. In the 2000 Legislative Council election, there were 1.48 million registered female electors on the General Electoral Roll, representing 48.4% of all the registered electors in Hong Kong. This compared with 1.36 million (48.0%) and 1.33 million (47.7%) registered female electors in, respectively, the 1999 District Councils election and the 1998 Legislative Council election. Furthermore, 48.4% of the 1.33 million voters who cast their votes in the 2000 Legislative Council election were female. The comparable figure for the 1999 District Councils election and the 1998 Legislative Council election was 48%.

117. Women in the HKSAR also stand as candidates in the elections to the Legislative Council and district organizations. In the 2000 Legislative Council election, 28 out of 155 candidates (18.1%) were women. Ten of them were elected. One more woman was later returned in a by-election in 2001, making a total of eleven women which takes up 18.3% of the membership of the 60-member legislature. There were 24 women among the 166 candidates (14.5%) for the 1998 Legislative Council election, and 129 women among the 798 candidates (16.2%) for the 1999 District Councils election. The percentages of female members among the elected candidates were 16.0% and 14.6% respectively.

Women in Executive Council

118. In 1981, there was only one female member in the Executive Council. Today, three out of 19 members (15.8%) of the Executive Council⁵ are female.

Women in Rural Elections

119. Issues relating to women in rural election is covered under Article 14 “Rural Women”.

⁵ The structure and functions of the Executive Council are covered in the General Profile section paragraphs 11 and 12 in Part I)

Women in Advisory and Statutory Bodies (ASBs)

120. The network of Government advisory and statutory bodies (ASBs) is a distinctive feature of the system of Government. It includes executive bodies and advisory bodies. The executive bodies discharge duties necessary for the effective and just functioning of the society. They include boards of directors for public corporations, public bodies or trust funds, and bodies serving regulation or discipline functions, and dealing with appeals. Many of the advisory bodies provide information and recommendations on a wide spectrum that ranges from fundamental livelihood issues such as housing and education, to highly specialised and technical subjects such as handling of dangerous goods and AIDS prevention. Others are local committees, dealing essentially with affairs of particular districts or neighbourhoods, and include the District Councils, Area Committees and District Fight Crime Committees. There are at present about 600 of these bodies served by about 6000 persons, comprising both Government officials and members of the public. Some individuals serve on more than one body.

121. Public members of ASBs are appointed on merit, taking into account their abilities, expertise, experience, integrity and commitment to public service. Government maintains a database of individuals interested in serving in ASBs to facilitate identification of suitable candidates.

122. As mentioned in Article 2, the Women's Commission considers that there is a need and potential for women to have greater participation in the decision making processes. Some local women's organisations have also pointed out that the relatively low representation of women in ASBs needs to be addressed. Hence, the Commission has urged the Government to take active steps to increase women's participation. The Administration also believes that there are many women in Hong Kong who are able and willing to contribute to the work of ASBs. To enhance the level of women's participation in these bodies, the Administration has taken a more proactive approach. All Bureaux have been asked to reach out, identify and cultivate potential women candidates. A special exercise was conducted whereby letters were sent to invite women members of non-governmental organisations, chambers of commerce and professional bodies to express interest in contributing to the work of ASBs, to enter their personal data in the database so as to enlarge the pool of potential women candidates for appointments. In making nominations of ASBs members, officials concerned would need to

consider the current position of women representation at the ASB concerned and the impact of the proposed appointments. The ultimate goal is that the Administration could benefit from the advice and gauge the views of both genders more fully through ASBs.

Women in Public Offices

Government Policy on Recruitment and Promotion

123. The HKSAR Civil Service adopts a policy of equal opportunities in employment. There is no discrimination between male and female employees. Appointment to the Civil Service is based on the principle of open and fair competition. Our aim is to appoint “the best person for the job”. Gender is not a requirement or a factor for consideration in Civil Service recruitment and promotion. All eligible candidates of both genders are considered on an equal basis.

Statistics on Women in Public Offices and Senior Positions (Directorate Grade)

124. In considering the Initial Report, the CEDAW Committee noted the low representation of women in the civil service. The number of senior female officers (directorate officers) in the Civil Service has increased significantly from 129 in 1992, to 244 in 1997, and to 347 in 2002. Female civil servants now make up 24% of top positions (directorate officers). This is 28% higher than in 1997 and 136% higher than ten years ago. Among the 19 Principal Officials, the Secretary for Justice, the Secretary for Environment, Transport and Works, and the Secretary for Security are all females. The percentage of female staff in the Civil Service now stands at 34%. The Ombudsman, who acts as the community’s watchdog, is also a woman.