

WOMEN'S COMMISSION
Notes of the 76th Meeting held on 18 July 2014

<u>Present:</u>	Mrs Stella LAU Miss Annie TAM Ms AU YEUNG Po-chun Ms Teresa AU Dr. Maggie KOONG Ms Angelina KWAN Professor LAM Ching-man Dr. Trisha LEAHY Mrs Miranda LEUNG Ms Juan LEUNG Dr. Lawrence TANG Mr. Philip TSAI Ms Sandy WONG Ms WONG Shu-ming Mr. Robert WONG Ms Carol YIP Miss Bonnie YIM	(Chairperson) Permanent Secretary for Labour and Welfare (Vice-chairperson) Director for Social Welfare Assistant Secretary for Constitutional and Mainland Affairs (5B)
<u>Absent with Apologies:</u>	Ms Aruna GURUNG Professor Shirley HUNG Ms Ada LAM Ms Leona LAM Ms Catherine WONG Miss Rabi YIM Ms Constance YUE	
<u>In attendance:</u>	Ms Doris CHEUNG Miss Fiona LI Ms Winnie CHAN Mr. Ricky CHENG Miss Noel NG Ms Cheryl TSANG	Deputy Secretary (Welfare) 1 PAS (Welfare)2 AS (Welfare)2A (Secretary) AS (Welfare)2B AS (Welfare)2C SEO (Welfare)2

For Agenda Item 1 Professor CHAN Siu-chee, Sophia Under Secretary for Food and Health, Food and Health Bureau

Dr. CHENG Pui-yan, Rachel Senior Medical and Health Officer (Family Health Service), Department of Health

Opening Remarks by the Chairperson

1.1 The Chairperson welcomed Ms Winnie CHAN who had taken up the post as Secretary of the Women's Commission (WoC) since end June 2014.

Item 1: Promoting, Supporting and Protecting Breastfeeding in Hong Kong (WoC 08/14)

2.1 The Chairperson welcomed Professor Sophia CHAN and Dr. Rachel CHENG to the meeting. Professor CHAN gave a powerpoint presentation on the setting up of the Committee on Promotion of Breastfeeding and the on-going actions in protecting, promoting and supporting breastfeeding in Hong Kong.

2.2 The Chairperson invited Members' views and comments

on the issues raised and, in particular, how Members could help promote breastfeeding to the women community through their own networks and channels.

2.3 A Member said that concerted efforts from different parties were important for promoting breastfeeding. She reported that the issue was also discussed at a District Council meeting earlier. The views gathered were two-fold. First, the breastfeeding mothers were concerned about the lack of breastfeeding facilities in public places. It was therefore important to consider the ways to further encourage public organisations and companies to provide breastfeeding facilities in their premises. She quoted an opinion from an academic that the provision of breastfeeding facilities, similar to the provision of sports facilities in a community, could be considered from an urban planning perspective. Considerations might be given to the demographic ratios and characteristics of a particular community when planning for the breastfeeding facilities. Second, she said that securing the support and acceptance from the elder family members (e.g. the breastfeeding mothers' parents/parents-in-law) of breastfeeding would be another challenge for the mothers.

Very often the elder family members could not appreciate the advantages of breastfeeding.

2.4 She supplemented that at the community level, there were projects supported or funded by the District Councils and various women's groups to help promote breastfeeding. These continued efforts would enhance the support from family members and the public for breastfeeding.

2.5 A Member echoed that in view of the common resistance from the elder family members against breastfeeding, public education should be strengthened to create a paradigm shift. She reported that the "Baby Friendly Action" had been advocating breastfeeding and a series of promotional events had been rolled out in the last few weeks, so as to create a greater impact on breastfeeding. Also, she mentioned that as a matter of fact, in the Equal Opportunities Commission (EOC)'s public consultation exercise on discrimination law review (DLR), one of the consultation questions was on whether "breastfeeding women" should be included in the definition of family status. Hence, it was equally important to proactively protect and promote breastfeeding at all levels.

2.6 A Member suggested that the Administration could establish partnership with various women's groups from the private corporations in promoting breastfeeding. She agreed that this matter should be brought up to Members' own women networks for further deliberation.

2.7 A Member shared her experience and problems encountered during her breastfeeding days, and pointed out that it was crucial to help mothers build a supportive environment for sustaining breastfeeding (e.g. setting up breastfeeding room at the workplace). Also, she opined that the Hong Kong Code of Marketing of Breastmilk Substitutes should be made mandatory to better protect and promote breastfeeding.

2.8 A Member added that the general public might not have acquired knowledge about the benefits of breastfeeding. Therefore, more public education would be conducive to fostering their understanding of the merits of breastfeeding and equipping them with the practical skills of breastfeeding.

2.9 The Chairperson and Professor Chan thanked Members for their views and concurred that given the merits of breastfeeding, providing the public with sufficient information and education was essential to raise their awareness and understanding of breastfeeding.

Item 2: Convention on the Elimination of All Forms of Discrimination Against Women (WoC 09/14)

3.1 The Principal Assistant Secretary for Labour and Welfare (Welfare)(2) introduced the paper WoC 09/14 on the arrangements for the Hearing of the third report of the HKSAR on the implementation of the United Nations (UN) Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in Hong Kong. In response to a Member's enquiry, she responded that the shadow reports submitted by the non-governmental organisations (NGOs) could be located from UN's website and the link of the website was provided to Members earlier via the weekly Friday Bundle.

3.2 A Member said that (WoC) funded some activities or school projects in the past to promote CEDAW to the public and

students. She suggested that WoC explore the feasibility of funding similar activities in future. The Chairperson responded that it would be beneficial to the public and students to learn more about CEDAW and its implementation in Hong Kong, and that WoC had all along been promoting CEDAW through different channels. Consideration could be given to funding activities or school projects on CEDAW if resources permit.

3.3 A Member suggested that Members might consider engaging those NGOs and women's groups, which had submitted the shadow reports to the CEDAW Committee, to understand more about their concerns. The Chairperson responded that those shadow reports should serve as useful references for Members to systematically acquaint themselves with the views and comments from those NGOs and women's groups. The Chairperson suggested that if Members found it useful and necessary, a briefing session might be arranged for Members to go through the issues raised.

3.4 Permanent Secretary for Labour and Welfare (PSLW) said that the Government would attend the LegCo Panel on

Constitutional Affairs on the following Monday (21 July 2014) to listen to the deputations' views. The Government remained open-minded on the possible initiatives to promote CEDAW and facilitate the understanding of the issues involved. A delegation from the Government would be formed to attend the Hearing sessions to be held in Geneva. Members could refer to the list of questions (annexed to paper WoC 09/14), which was worked out by the CEDAW Committee upon its consideration of the shadow reports.

[Post-meeting note: The list of issues raised by the deputations at the Panel meeting was circulated to Members on 8 August 2014. The Opening Statement made by PSLW at the Hearing sessions held on 23 October 2014 and the relevant press reports are attached at **Annex** for Members' information.]

Item 3: Asia-Pacific Economic Cooperation Women and the Economy Forum 2014 (WoC 10/14)

4.1 The Assistant Secretary for Welfare (2C) introduced the paper WoC 10/14 on the participation of WoC at the

Asia-Pacific Economic Cooperation (APEC) Women and the Economy Forum 2014 held in Beijing from 21 to 23 May 2014. PSLW added that the 9-person delegation from Hong Kong had included the Chairperson of WoC and Ms Juan LEUNG from WoC.

4.2 The Chairperson said that she had the opportunity to participate and address the forum. This had provided a useful platform to meet senior leaders involved in women affairs from different parts of the world. Ms Juan LEUNG found her experience of participating the Forum a fruitful one. She had exchanged views with the All-China Women's Federation and introduced women's labour participation in Hong Kong to other delegates.

4.3 A Member considered that PSLW's speech on "Women and Our Economy: Past, Present and Future" delivered at the session "High Level Policy Dialogue" provided a very good account of the development of women in Hong Kong over the decades. He suggested that the speech be uploaded to the WoC website for sharing purpose.

4.4 A Member suggested that WoC might consider arranging meetings with the women's groups overseas to understand more about the challenges encountered by women from other places. The Chairperson added that the Conference organised by WoC every 3 to 4 years should provide a useful platform for Members to exchange views with women's groups from different parts of the world.

Item 4: Confirmation of Minutes of the 75th Meeting (WoC 11/14)

5.1 The minutes of the 75th meeting were confirmed without amendments.

Item 5: Verbal Report by Working Groups

6.1 The Meeting noted the verbal reports made by the respective working groups.

6.2 The Meeting noted that the International Women's Day (IWD) in 2015 would fall on a Sunday. Considering that WoC was the high-level central mechanism for women's issues and

IWD was an important women's event, the Meeting agreed that the celebration event to be organized by WoC should continue to be held on 8 March 2015. On the format of the event, Members suggested that given the event would fall on a Sunday, it might be scheduled in the afternoon (say, around 3 – 4 pm after the family and church time in the morning). Participants might be invited to bring along their close family members to join the celebration. Some members expressed reservations about an outdoor programme because of the unstable weather condition in March. The Working Group on Public Education would further deliberate on the format of the event, taking into account Members' views.

Item 6: Secretary's Report (WoC 12/14)

7.1 The Meeting noted the Secretary's Report.

Item 7: Any Other Business

8.1 There being no other business, the meeting was adjourned at 5:15 p.m.

Women's Commission Secretariat
September 2014

Opening statement by PSLW at consideration by UN Committee on the Elimination of Discrimination against Women

Following is the opening statement by the Permanent Secretary for Labour and Welfare, Miss Annie Tam, at the consideration held by the United Nations Committee on the Elimination of Discrimination against Women on the Hong Kong Special Administrative Region's third report under the Convention on the Elimination of All Forms of Discrimination against Women in Geneva, Switzerland, today (October 23, Geneva time):

Chairperson, distinguished members,

Good morning.

I am honoured to have this opportunity to speak on the implementation in the Hong Kong Special Administrative Region (HKSAR) of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which was extended to Hong Kong in 1996 and has continued to be applicable to the HKSAR following resumption of exercise of sovereignty over Hong Kong by China on July 1, 1997, under the principle of "One Country, Two Systems". The HKSAR has all along been implementing CEDAW in accordance with the provisions of the Basic Law and local laws. I would like to thank Madam Song Xiuyan (Vice-chairperson of the National Working Committee on Children and Women under the State Council) for her leadership of the Chinese delegation. I must also thank you for your interest and observations on our Government's Third Report submitted in 2012.

Chairperson and members, let me assure you that the HKSAR Government remains fully committed to implementing the provisions of CEDAW as applied to the HKSAR. The Basic Law of the HKSAR and the Hong Kong Bill of Rights Ordinance continue to protect the fundamental rights of all people in the HKSAR. We have brought into force four pieces of anti-discrimination legislation, which are the Sex Discrimination Ordinance, the

Family Status Discrimination Ordinance, the Disability Discrimination Ordinance and the Race Discrimination Ordinance.

Women in HKSAR Nowadays

I think it may be useful for me to give you a general profile on women in the HKSAR.

The HKSAR is an international business and financial centre. We now have a population of more than 7 million with slightly more than half of them being female. Women also live longer than men; on average men and women in Hong Kong are expected to live 81 and 86 years respectively.

With equal rights of access to 12 years of free education in the HKSAR, more than 76.5 per cent of females aged 15 or above in the HKSAR have attained secondary education or above, and females now account for more than half of our student enrolments in undergraduate programmes as well as over 60 per cent of the students in taught postgraduate programmes.

In the HKSAR, equal employment opportunities for women and men are protected by the Sex Discrimination Ordinance. Female employees are provided under the Employment Ordinance with maternity protection, comprising paid maternity leave as well as employment protection during pregnancy. Women in Hong Kong are not only free to choose to work in the labour market; more of them are taking high positions. Let me quote some figures to illustrate this point. Among senior management positions in private businesses, more than 30 per cent are held by women. Among our 15 Secretaries and Directors of Bureaux, a woman holds the office of the Chief Secretary for Administration, who is the leading Principal Official in the HKSAR Government. In the civil service, half of our 18 permanent secretaries, including myself, and around one-third of all directorate officers are women, and in the Judiciary more than one-fourth of our judges and judicial officers are women.

Three Specific Issues

We are of course conscious of the need to make ongoing efforts to promote the realisation of women's due status, rights and opportunities in all aspects of life. I would like to briefly address the following three specific issues which are very close to our hearts.

(1) Women's Employment

The first issue is women's employment. According to a recent Manpower Projection conducted by the HKSAR Government, the local female manpower supply is projected to grow from 1.55 million in 2012 to 1.72 million in 2022. During the same period, women's share of the local workforce is projected to edge up from 44.0 per cent to 46.7 per cent, with the female labour force participation rate increasing slightly from 49.6 per cent to 50.5 per cent.

We note that many women take on for themselves the role of carers in the family. The HKSAR Government fully respects the choice of women and appreciates that some women would prefer taking care of families to pursuing a career. However, we note that a considerable number of female homemakers would be willing to work given suitable employment opportunities while Hong Kong is projected to require more manpower to drive our economic growth.

To enable women to pursue employment and careers of their choice, we are now working proactively to facilitate employment of women through a range of measures such as planning holistically for better community child care provision, after-school child care and elderly services; more family-friendly workplaces; more part-time jobs; and better retraining. In this regard, we are sensitive to the need for specific measures to meet the special needs of single parents, women newly arrived in Hong Kong and women with disabilities. I would like to quote some specific measures:

(a) We are preparing to introduce a Low Income Working Family Allowance to help low-income breadwinners and their families. We will adopt a much lower working hours threshold for breadwinners who are single parents to meet their special needs;

(b) As one of the family-friendly measures, we have earlier this year introduced into the Legislative Council a Bill which seeks to provide eligible working fathers with three days' paid paternity leave. The Bill is at present under the scrutiny of the Legislative Council; and

(c) We will continue to implement the Statutory Minimum Wage, to provide a wage floor to forestall excessively low wages. This measure has proven to be effective in encouraging more women to pursue employment.

More importantly, the Government will continue to develop our economy and create more employment opportunities which meet our many development needs.

(2) Foreign Domestic Helpers

I will now turn to the subject of foreign domestic helpers (FDHs), which is related to women's employment.

Let me say right at the outset that we are grateful to the contributions made by some 329,000 FDHs, who are mostly women, currently working in Hong Kong. They assist local women in taking care of their families and also help release more local women to pursue employment and careers.

The FDHs are now working in more than 260,000 families in Hong Kong. I must declare an interest as my family is one of them, and I have been benefiting from the assistance granted by the same FDH for more than 20 years. The majority of employers treat their FDHs well, and most FDHs enjoy a good relationship with their employers.

I would like to make clear that the HKSAR Government is committed to protecting the rights and interest of our FDHs through a multi-pronged approach:

(a) Hong Kong is one of the few places where the local law provides that FDHs are able to enjoy a range of labour rights and benefits, such as statutory holidays, a weekly rest day, as well as maternity protection and more, and FDHs, in addition, are protected by a Government-prescribed Standard Employment Contract which provides for, among others, the Minimum Allowable Wage. Our law further provides that FDHs, like any local person, are protected against abuse. All employment agencies are also required to be licensed under our law;

(b) We consider it important to make sure that the FDHs, their employers, their employment agencies, the local community as a whole and the FDH exporting countries are all fully aware of the rights of FDHs. We have been actively stepping up our efforts in this regard. For instance, we have established regular liaison mechanisms with the relevant foreign consulates in Hong Kong, with a view to tackling issues like the heavy training and agency fees that some FDHs may have committed to pay even before their arrival in Hong Kong; we have been launching ongoing publicity and educational programmes to improve FDHs' own awareness of their rights; and we are also considering the introduction of a Code of Practice to better regulate the operations of the employment agencies; and

(c) We encourage FDHs to come forward and file reports if they are abused or if their rights are violated, or both. They, same as local workers, enjoy equal access to the courts and legal aid. The relevant authorities treat these cases seriously, take prompt action to investigate the cases, and, if there is sufficient evidence, institute prosecutions and other actions against their employers or employment agencies.

(3) The Women's Commission

The third issue is the Women's Commission, or the WoC for short,

which was set up in 2001 to advise the HKSAR Government on women's issues. Mrs Stella Lau, the Chairlady of the Commission, is joining me here today. I would now like to focus on the following two areas in which the WoC is proactively working at the moment.

The first area is gender mainstreaming, or GM. The WoC has developed a GM Checklist and this Checklist has been applied to more than 50 policy and programme areas in Hong Kong. The WoC has recently advised us that the time is ripe to institutionalise GM in major policies and initiatives across the board. The second area is appointment to government advisory and statutory bodies, or ASBs. Taking into account the advice of the WoC, the Government introduced, in January 2004, the first gender benchmark of 25 per cent as a working target for appointments to ASBs. The Government, on the advice of the WoC, raised the gender benchmark from 25 per cent to 30 per cent in June 2010. As at the end of April 2014, 1 963 (32.3 per cent) of the appointed non-official members in 418 ASBs were women. The WoC has recently advised us to consider increasing the 30 per cent benchmark to a higher figure. The Government is now proactively considering the WoC's advice in these two areas.

Conclusion

Chairperson and members, the HKSAR Government cherishes its partnership with women's groups, and with the whole community, men and women. Acting in concert, we stand ready to chart new courses to further promote the realisation of women's due status, rights and opportunities in all aspects of life, in a continuing process of faithfully implementing CEDAW as applied to the HKSAR. Let me thank you once again for your interest in our endeavours.

Thank you very much.

Ends/Thursday, October 23, 2014

Issued at HKT 20:16

Relevant Press Reports (Chinese only)

RTHK online: 譚贛蘭在聯合國機構談論促進婦女就業等措施

勞工及福利局常任秘書長譚贛蘭表示，政府正積極透過一系列措施，促進婦女就業，亦會照顧單親家長、新來港婦女和殘疾女性的特別需要。

譚贛蘭在瑞士日內瓦出席聯合國消除對婦女歧視委員會的會議時致辭。

她說，政府正預備實施低收入在職家庭津貼，對於身為單親家長的在職人士，政府會採取較低的工時要求。

她又說，政府本年較早時已向立法會引入條例草案，向合資格在職父親提供3日有薪侍產假，該草案正在立法會審議。

ST online: 譚贛蘭指當局正積極促進婦女就業

勞工及福利局常任秘書長譚贛蘭表示，政府正努力促使女性在各方面充分獲得應有的地位、權利和機會。

譚贛蘭在瑞士日內瓦出席聯合國消除對婦女歧視委員會時表示，為了讓婦女可按其意願選擇工作或發展自己的事業，我們正積極透過一系列的措施，以促進婦女就業，例如全面規劃更完善的社區幼兒照顧服務、課餘託管和長者服務及最佳的再培訓機會等等，並會照顧單親家長、新來港婦女和殘疾女性的特別需要。

她又表示，政府正預備實施一項低收入在職家庭津貼，以協助低收入的在職人士及其家庭。並為身為單親家長的在職人士，採取一個較低的工時要求。譚贛蘭又指，政府在較早前，已向立法會引入條例草案，向合資格的在職父親提供3日有薪侍產假，該草案正在立法會審議。
