

## **Hong Kong's Hidden Stories: I am Hong Kong too**

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### **The Background and Context Informed the Project**

*Speaker: Puja Kapai, Director of CCPL*

In September 2015, the CCPL published the 'Status of Ethnic Minorities in Hong Kong from 1997 to 2014' report. During our interaction with various parties on this topic, we received different attitudes they held facing the racial discrimination problem. A common perception or attitude among the government officials regards Hong Kong as a harmonious society without racial discrimination problems. There is no doubt that Hong Kong is a generous society and there is something special being a Hong Konger. However, officials would often contend that no evidence reveals that racial discrimination is not a systematic problem in Hong Kong. Instances of marginalization are regarded as circumstantial rather than systematic. The lack of attention from the authority implied in their reply becomes a foremost motivation for us to publish a comprehensive completion to integrate all existing data and research relating to ethnic minorities across a range of indicators since the handover.

The studies that have been done so far on racial encounters on Hong Kongers reaffirm that Hong Kong has a racial hierarchy in which browns appear to be right at the bottom. The studies also show that ethnic minority children are less likely to engage in higher education and more likely to drop out at form 5. As a result, they are less likely to attend postgraduate education. Language presents itself as a major barrier that impacts on their entry into mainstream schools and also prospects in doing wellness, and ultimately undermines children's self-confidence and self-esteem. Thirty percent of ethnic minority children participated in the studies admitted that their teachers have an impression on them that they are lazy, troublesome, or that they should learn Chinese in the same manner as other Hong Kong Chinese students. However, we come to see that in recent years, Chinese curriculum is so tough that nearly fifty percent of Hong Kong Chinese student consider it difficult to attain level three plus in DSE subject.

Ethnic minorities appear to be less likely to be employed, and the elderly of ethnic minorities more occasionally work past their retirement age when comparing to their Chinese counterparts. Thirty-four percent of Southeast Asians say that their inability to read and write in Chinese has a direct impact on their lives. The graph shows that

thirteen ethnic groups appears to be less likely to speak Cantonese compared with other ethnic groups, and this is supported by the fact that ethnic minorities except Indians are more likely to end up in elementary education, and the fact that they earn less than the average Hong Kong monthly income. Poverty is a serious problem that also impacts ethnic minorities communities as well as child poverty. The rates of poverty in some ethnic groups are shocking and want urgent attention.

The term 'ethnic minorities' itself has also been a concern among many of ethnic minorities. Sixty-three percent of those participating the study provided that they identified themselves as Hongkongers first, followed by their ethnic identities. It reflects that the term of 'ethnic minorities' does not resonate as a descriptor among the community. It is revealed from this overview that the perception of being an ethnic minority has negative impacts on their prospects of lives, including education, employment, and their overall social well-being. There exist long standing stereotypes over their experience. Both under-representation and over-representation exist in different ethnic minority groups. At the same time however, the report also highlights ethnic minority community's diverse experience. Different groups have different needs, different experiences and different challenges that are unique to them, and this may have to do with history, background, opportunities and access.

Despite these findings however, the common perception appears to be a negative one, regarding ethnic minorities as a problem for Hong Kong. They have often been spoken about in terms suggesting that they are not Hong Kong people, or do not contribute to the society, or prove to be extreme on community's limited resources. They are perceived as transient populations that are not here to stay, though many of them have resided in Hong Kong for generations. Recent discourse has hit a new low, the term 'ethnic minorities' has been increasingly conflated with South Asians or refugees, and reported to contribute to the Hong Kong marine refugee crisis. Response to these reports and evidence of systematic discrimination has been one of denial, 'this could not be happening in Hong Kong'. It denies the issue as one of discrimination, but rather individual instances should be responsible for the attitude, or this perception and the negative impressions, because they are part of the problem in the sense that they do not try hard enough to integrate and they do not perceive themselves as Hongkongers.

To help correct this misunderstanding, to tackle the problem of exclusion, and to

address the stereotypes against ethnic minorities, the project aims to provide a platform for ethnic minorities to write their own script and their own stories in their voices, with the hope that some of them could help to transform the public script. The vision is to share the experiences and challenges in their own voice, to show their commitment to Hong Kong, their sense of identities as Hongkongers, and most importantly, to provide a counter narrative to current resources. The narrative carries a power of authenticity and authority of one's story, messages and history.

The project also aims to encourage other groups to depict their own Hong Kong journey, to find common ground with these ethnic minority communities, and to draw encouragement and inspiration from them, so that they can prepare for a better future for themselves. The idea is to understand why Hong Kong ethnic minorities have these experiences in many aspects, in terms of how they feel about Hong Kong, their love for Hong Kong, the people of Hong Kong, as well as their capacity to hold multi-identities, and what Hongkonger identity represents as an indispensable part.

At the same time, the stories provide detailed narratives on the challenges some groups face and their journey in overcoming them. Some of the interviewees wanted to change something, but they did not know where to begin, because they felt that the narratives were already too negative. Many communicated the feeling of fear of causing troubles when talked about these issues since it might make them look ungrateful to what Hong Kong had given them. Some also confessed worries that their stories might be challenged, and indeed some of these are being challenged, mostly by other ethnic minority groups who rejected the narratives painting all ethnic minority groups as victims. They considered talking about discrimination and exclusion to be deficits. They are of the view that they made it without anybody's help, the situation that they do not work hard but only complains is the causes of those discrimination and exclusions. The challengers uphold the narratives of their amazing journey to achieve success in Hong Kong. Some even feel that they have no right to ask to be treated equally. I hope that on this occasion which is intended to mark the International Day Against Racial Discrimination, they will recognize that we are all human beings and inherently have rights to be treated equally. These short videos give viewers a window to a sense of attachment to Hong Kong that makes it our home, but also the varying levels of acculturation across different people which indicates the inherent diversity as a characteristic of Hong Kong society. The videos aim to inspire as well, in the stories,

the wonderful people sharing their dreams, what they have gone through to achieve these things, but also why they feel it is necessary to keep on trying. I hope that after listening to these journeys other ethnic minority groups could just dream like them, and young ethnic minorities out there would not give up their own dreams.

### **Support from the U.S. Consulate**

*Speaker: Tom Cooney, Deputy Consul General, Consulate General of the United States Hong Kong & Macau*

The United States Consulate is very honored to be associated with this project. Over the past two centuries or more, American history has gone through a process of people with diverse backgrounds finding their strength and contributing to the who country. It is this kind of diversity and opportunities for various ethnic groups to empower that support the development of our country for centuries. We are here to celebrate the International Day Against Racial Discrimination, and the U.S. has a long history of fighting against discrimination. A well-known example might be slavery. It is something we have been struggling with, something we made progress on, and something that we are continuously working on. The American constitution in its open lines talks about building a stronger union. Even back to those days, the founders of our country knew that we would always be striving towards a more perfect state and we would never quite get there. We are not perfect, and we are still working on it towards a perfect union. This spirit also applies to Hong Kong community, which is the reason why we enthusiastically support this project. After having full picture of this issue, I have come to the question that what we can do to this situation in terms of Hong Kong government and U.S. government. What I see is that we have leaders across a wide range of communities meet, including when U.S. senior officials come to visit. Now congressional delegates report shows that 16 candidates would join this leader group.

### **Rule of Law and Discrimination in Hong Kong Society**

*Speaker: Justice Bokhary*

Racial discrimination is sometimes latent, and sometimes due to neglect. Where it exists, it is a usual practice against ethnic minorities, or sometimes practiced by a ruling minority. Extreme example of racial discrimination practiced by ethnic minority is the case in South Africa, but there can be more moderate incidents. Majority people in Hong Kong are, and always been ethnic Chinese. In the colonial Hong Kong in which I grew up, administration was essentially in hands of colonists, to the exclusion of

anybody else including the majority, and so were many important decisions in private sectors. Today's event focuses on ethnic minorities, but I should point out that not only ethnicity can put one in the position of minority. Minority means a combination of things. From my experiences from primary school to higher education, I have gradually found out that there is nowhere that would put my ethnicity not into minority. I have experienced two kinds of discrimination during my stay in London as a law student, one is that against me and the other is that in favor of me, if there is such a thing could be called racial discrimination.

Whatever problems we have faced, whether large or small, it should make you more sensitive, not on the contrary, so as to problems faced to others. I assure that in the exercise of my judicial duties, and the books I have written, discrimination of any kind is taken very seriously indeed. Equality and freedom from discrimination are central among the human rights identified in the Universal Declaration of Human Rights 1948, in the aftermath of the horrors of second war, as the foundation of a just world order, and to such an order, world peace. 40 years later after the Universal Declaration, a distinguished international scholar has observed that non-discrimination has recognition in international law as perhaps the primary human right. Equality is recognized in every international human right instrument and in every domestic constitution all around the world.

We find it exists in our constitution, the Basic Law, and which is vital, these principles have been embodied in detailed domestic legislation, a large body of anti-discrimination legislation in Hong Kong directed to gender, disability, family status and race. This body of legislation is of four statutes, the Sex Discrimination Ordinance, Disability Discrimination Ordinance, Family Status Discrimination Ordinance, and Race Discrimination Ordinance. Each of these statutes empowers the Equal Opportunities Commission to issue code practice, and the Commission has issued codes on all of them. Work has been done and much more work remains to be done. Neither that we should be cynical, nor we should be complacent. We can say the road remains long. We can say it is just hard. Let us remember even if we say all of that, we are recognizing that the road exists. Of course the law is long, while life is short. As part of human history, that the good things a person works does not come within her or his own lifetime, and for those suffering in the present, the relief in the future is of limited consolation. The work to be done is therefore urgent.

The British pioneer in this area of law is the Race Relations Act 1965. A judge disapproved this statute because he took the view that prejudice does not carry any moral wrongdoing. I don't agree with that. Prejudice in the state of mind does not involve any actual actions, but it is the source of discrimination. Discrimination is prejudice put into practice. You cannot outlaw a mindset, and outlawing discrimination flowing out from a prejudice mindset might in the short term even harden that mindset. But eventually, in a society where the rule of law is respected, the outlawing of discrimination can come close and perhaps reduce the radical mindset of prejudice. We should not deny the question, and solutions could be controversial. Affirmative actions itself could entail some discrimination. However that might be, the Human Rights Committee of the United Nations has said that the principle of equality sometimes requires states to take affirmative action in order to diminish or eliminate situations that perpetuate discrimination, in the paragraph 10 of the Human Rights Committee General Comment 18, thirty-seventh session, 1989. The law cares about your problems, but there is much work to be done in order to make the law effective, and that is one of the reasons, an important one, that the stories are being told.