

Speech by Zamira Monteiro, Campaigns and Communications Coordinator, at the Panel on Constitutional Affairs of the Legislative Council, November 16, 2015:

The Third Report of the Hong Kong Special Administrative Region under the International Convention on the Elimination of All Forms of Racial Discrimination

Esteemed Members of the Panel on Constitutional Affairs,

My name is Zamira Monteiro from Justice Centre Hong Kong. Today is the International Day of Tolerance, and with this in mind, I am here to speak about the experiences of non-refoulement or protection claimants under the Unified Screening Mechanism, who are largely ethnic minorities and are often invisible to the public.

There are many ways in which you can face racial discrimination or intolerance as an ethnic minority in Hong Kong.

Claimants at our centre have told us about interactions with frontline public health workers who refuse to touch them, landlords who don't want to rent their flat to them, or merely what it is like for them to take a ride on the MTR next to an empty seat, because no one wants to sit next to them.

What this highlights is that public education and awareness is crucial in order to effectively protect the rights of ethnic minorities in this city.

At Justice Centre, we have taken some of our claimants to the Equal Opportunities Commission to educate them about what rights they are entitled to if they have been victim of discrimination.

But the vast majority of them have no idea about what the discrimination ordinances are. Moreover, many are unable to even understand the language in which they are being discriminated against in the first place.

Unfortunately, the Hong Kong Government's public discourse does not help. Justice Centre is alarmed at the government's negative shift in rhetoric in the past year concerning protection claimants.

The disingenuous and misleading term "illegal immigrants" is thrown around loosely by the Immigration Department in its press work, with no thought as to the ramifications of its use.

I ask you to keep in mind the appropriate words of the Director of the Refugee Studies Centre at Oxford University, who said "*Words that convey an exaggerated sense of threat can fuel anti-immigration sentiment and a climate of intolerance and xenophobia.*"

In this regard, we are extremely concerned that the government's and the media's negative reports are misleading the public and encouraging misunderstanding which can lead to hostility towards protection claimants, and even towards ethnic minorities generally.

What is more alarming is that these statements are coming from the Immigration Department, which is meant to be a neutral decision-maker in deciding on protection claims with the "highest standards of fairness".

We implore the government to remember its positive responsibility to raise public awareness and set an example in fostering tolerance, respect for diversity and social harmony.

We urge the Government to stop this negative discourse and proactively engage the public in healthy and informed discussions on ethnic minorities, including protection claimants, particularly utilising and resourcing the EOC's and international expertise.

Justice Centre's doors remain open to members of the Legislative Council who wish to meet with us and protection claimants to understand more about their experiences.

Thank you