

**PathFinders Limited: Panel on Constitutional Affairs: Oral Submission on the third report of the Hong Kong Special Administrative Region under the International Convention on the Elimination of All Forms of Racial Discrimination ['CERD']
Monday, 16 July 2018 - 2.30 pm to 4.30 pm
Conference Room 1, LegCo Complex**

Good afternoon. My name is Harriet Beavis and I represent PathFinders.

PathFinders' clients face racial discrimination on a daily basis. We have now helped over 5,600 babies, children and women who would otherwise have been at risk, and all too often at extreme risk, of homelessness, starvation, grinding poverty, health complications, statelessness, abandonment, abuse, neglect and even trafficking.

Given PathFinders' client numbers and the forecast increase in the migrant domestic worker population from 380,000 to 600,000, the protection of pregnant, migrant workers and their HKSAR-born children is now critical.

PathFinders strongly urges the HKSAR government to fulfill its obligations under the International Convention on the Elimination of All Forms of Racial Discrimination by implementing the following 10 recommendations:

With respect to Statutory maternity leave for migrant domestic workers

1. Take special measures in the next 6-12 months to clarify and explain how, within the context of the live-in rule, a Foreign Domestic Worker's statutory maternity leave should be handled in the best interests of the new baby, the mother and the employer;

With respect to Education for non-Chinese speaking children

2. Introduce an effective Chinese as a Second Language Curriculum to boost education and training opportunities, and improve integration;
3. Provide pre-kindergarten support and universal access to kindergarten;

With respect to Access to justice for non-Chinese ethnic minorities

4. Remove the exclusion of Government powers and functions from the Race Discrimination Ordinance;
5. Provide access to translation services at pre-hearing stage;
6. Ensure adequate representation of the child in the non-refoulement claim process and legal proceedings;

With respect to Access to healthcare for non-Chinese ethnic minorities

7. Provide early special needs assessment to all children in HKSAR, regardless of their immigration status;
8. Provide prenatal blood tests and Ultrasound scans as a basic minimum level of care for all pregnant women in HKSAR, regardless of their immigration status;

With respect to Naturalisation for non-Chinese ethnic minorities

9. Confer HKSAR passports on all children who are abandoned in Hong Kong and/or whose parents are absent and/or unable to act on their behalf;
10. Provide clearer and detailed criteria for applying for HKSAR passports in relevant languages.

Thank you for considering these recommendations.