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防止大學校園內的性騷擾

2003年，本地大學的多項活動引起了平等機會委員會的關注，因此，委員會進行了一項有關大學校園性騷擾的研究。結果顯示，迎新營的多項活動(包括所用的口號)均涉及性，參加者缺乏對性的敏感度，營造了一個「在性方面具敵意的環境」。同類的環境在工作場所而言，已屬違法，但現時法例並未延伸至教育機構。委員會早前已向政府建議修訂《性別歧視條例》，以涵蓋這類性騷擾，而政府的回覆顯示，條例在短期內會獲得修訂。

鑑於上述研究及結果，委員會於2004年8月與婦女事務委員會(婦委會)合辦了「防止性騷擾大學論壇」，和與會者分享上述研究結果，並討論如何防止大學內的性騷擾。論壇共有四十人參加，包括八所大學的職員、學生會、非政府組織、委員會及婦委會的代表。

與會者一致認為應認真處理大學內的性騷擾，並需在大學引入性騷擾政策，以及更具透明度的投訴處理程序；此

Preventing Sexual Harassment in Universities

In 2003, in view of information brought to the EOC's attention with regard to various activities in Hong Kong's universities, we conducted a study on sexual harassment within these institutions. The findings showed that various activities conducted at orientation camps, including the use of slogans, contained sexual content and were highly insensitive, leading to a "sexually hostile environment". While such an environment is unlawful in the workplace, the legislation at present does not extend to educational establishments. Following an earlier proposal by the EOC for the government to amend the SDO to prohibit such an environment in education, we are given to understand that the ordinance will be amended soon.

In view of the study and its subsequent findings, we organized a *Forum on Preventing Sexual Harassment in Universities* in conjunction with the Women's Commission (WoC) in August 2004, to share the results of the study and discuss how we could move forward to prevent sexual harassment in Hong Kong's universities. Forty participants, including representatives from the administration and student unions of Hong Kong's eight universities, non-governmental organizations, the EOC and WoC attended the Forum.

There was general consensus that the issue of sexual harassment in universities should be tackled seriously, with the need to introduce sexual harassment policies as well as more transparent complaint handling procedures in the institutions. In addition, the government was urged to speed up the process of amending the SDO. It was also agreed that the Forum should be held regularly as it provides an excellent opportunity to raise awareness of the issue and

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外，亦促請政府盡快修訂《性別歧視條例》。會眾同時認為應定期舉辦論壇，藉以提高相關意識及解釋性騷擾的概念。論壇為如何有效協助本地教育機構防止性騷擾，提供了適當的討論平台。

論壇後，委員會及婦委會於2005年7月再合辦「全港大專生迎新遊戲設計比賽」，藉以提高學生的性別意識。是次活動目的在於打破性別定型，提倡兩性平等，令學生在沒有性騷擾的環境中學習以及培養正確的態度。

改革高中及高等教育學制

教育統籌局(教統局)於2004年10月發布《改革高中及高等教育學制——對未來的投資》諮詢報告，委員會歡迎該項學制改革，並向教統局提出了建議。教統局於其後的教育改革工作計劃中，回應了委員會的大部份建議項目。

委員會建議應把性別、殘疾及多元文化融入主流教育，並以此作為各科的長遠策略。教統局繼續著手把有特殊教育需要及少數族裔學生融入主流學校，讓他們享有接受主流教育的機會。

對於委員會要求有實質措施以消除新學制中失衡及不平等的情況，並對弱勢社群給予援助，教統局承諾會為每位學生提供十二年教育，並會就經濟援助檢討其政策。

有關建議中的新科目——通識科，委員會已作好準備支援教師及學生學習平等機會課題。現時，委員會的熱線、投訴服務、資源中心及網站已為老師及學生提供協助。



clarify the concept of sexual harassment. Participants saw the Forum as an useful platform for effective collaboration and coordination on how best to prevent sexual harassment in Hong Kong's education establishment.

Following the Forum, the EOC and WoC co-organized an *Orientation Camp Game Design Contest to Promote Gender Awareness* among Hong Kong's university students in July 2005. The aim was to break down gender stereotypes and promote understanding of gender equality, in order to enable students to learn and form attitudes in an environment free of sexual harassment.

Reforming the Academic Structure for Secondary and Higher Education

Responding to the consultation paper on *Reforming the Academic Structure for Senior Secondary Education and Higher Education – Actions for Investing in the Future*, issued by the Education and Manpower Bureau (EMB) in October 2004, we welcomed the new reform and made a submission to the EMB. We were pleased to note that most of our concerns were addressed in the EMB's subsequent action plan.

在學校課程納入平等機會原則

教育能有效消除歧視，因此，委員會與教統局的課程發展處緊密合作，致力把平等機會原則納入學校課程。近年來，委員會與課程發展處定期研究如何透過學校課程，提高學生對平等機會概念的理解與認同。

委員會自2004年7月起，與本地出版商討論如何在教科書中更全面地表現兩性及弱勢社群的角色。直至今日，有關工作重點在於本地教學資源呈現更廣闊的平等機會概念。各有關人士已同意合作，在將來把多元文化、性別意識及平等機會價值納入本地教科書及課程。

與反歧視法例有關的保險問題

2004年初，委員會主席就委員會《與反歧視法例有關的保險問題討論文件》，與香港保險業聯會代表探討及跟



The Commission had suggested that gender, disability and multicultural mainstreaming be adopted as a long-term strategy across all disciplines. The EMB undertook to continue the integration of students with special education needs (SEN) and ethnic minorities students into ordinary schools in so far as they could benefit from such an education.

In response to the EOC's request for solid steps to be set out to redress any imbalances and inequalities in the new education system and that protection be offered to disadvantaged groups, the EMB declared its commitment to provide every student with 12 years of schooling and promised to review its policy in relation to financial assistance.

With regard to the proposed new subject, Liberal Studies, we are ready and will provide support in the training of teachers and students on equal opportunities issues. Meanwhile, our hotline, help services as well as our resource library and website are readily available to assist teachers and students.

Integrating Equal Opportunity Principles into the School Curriculum

Education is crucial in eliminating discrimination. As such, we work closely with the Curriculum Development Institute (CDI) of the EMB, seeking to integrate the subject of equal opportunities into the school curriculum. At ongoing meetings held with CDI, we study ways to enhance understanding and acceptance of equal opportunity concepts into the school curriculum.

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進。該份討論文件在2002/03年度發表，就不同保險業慣常做法或會涉及反歧視法例所引起的關注，徵詢業界意見。香港保險業聯會遂組成專家工作小組研究有關問題，並作出相應行動，包括：

- 草擬立場文件，就基於委員會建議而委任保險業申訴專員的可能性作出探討；
- 檢討《基因檢驗實務守則》；及
- 為從業員草擬有關原先存在的健康狀況及完全不受保項目的指引

委員會今年一直與香港保險業聯會保持定期對話，並對其《基因檢驗實務守則》及《原先存在的健康狀況及不受保項目的最佳措施聲明》的修訂草稿提供意見。上述守則及聲明已於2005年初定稿，經修訂後，保險業界提供了較廣泛的保險產品及保障範圍。我們認為，保險公司在提供保障時可考慮調整保費水平或承保金額，而不宜斷然拒絕承保處於個別狀況的人士。委員會與保險業界仍有進一步的合作空間，例如為保險中介人、保險公司及消費者提供培訓。

Discussions with Hong Kong's publishers began in July 2004 to consider a more comprehensive representation of both genders as well as the disadvantaged in Hong Kong's textbooks. So far, work is aimed at presenting a broader spectrum of equal opportunity concepts in Hong Kong's teaching materials. All parties concerned have agreed to work together to incorporate diversity, gender awareness and equal opportunity values into Hong Kong's school books and curriculum in the future.

Insurance Issues under the Anti-discrimination Ordinances

In early 2004, our Chairperson explored with representatives of the Hong Kong Federation of Insurers (HKFI) to follow up on the EOC's *Discussion Paper on Insurance Issues under the Anti-discrimination Legislation*. Released in 2002/03, the discussion paper was published to gain views from the industry with regard to various insurance practices that could raise concern under the anti-discrimination ordinances. As a result, the HKFI formed a task force to look into the matter and take action on concerns raised. These included:

- Drafting of a position paper on the possibility of establishing an Insurance Ombudsman based on our proposal;
- Reviewing the Code of Practice on Genetic Testing; and
- Drafting guidelines on pre-existing conditions and blanket exclusions for members.

We maintained a regular dialogue with the HKFI during the year, providing input both for the HKFI's revised draft *Code of Practice on Genetic Testing* as well as its draft *Statement*

同值同酬

「同值同酬」專責工作小組於2004年進行了多次會議，就有關本港公營機構同值同酬問題所作的諮詢報告最後草稿，提供了寶貴意見。隨著2004年12月政府委任鄧爾邦出任委員會主席，以及2005年5月新任委員就任，委員會將進一步探討上述「同值同酬」研究所關注的議題，及有關的諮詢報告，了解所涉及的各種複雜問題，找出最佳及最合適的未來路向。委員會了解到，日後處理此問題的方向將帶來深遠影響，因此，在達成最後決定前，委員會將對同值同酬問題作出全面而深入的考慮。



of Best Practice on Applying Pre-existing Conditions and Exclusions. The Code and Statement were finalized in early 2005. It is observed that the insurance community has provided a wider range of products and coverage. Insurers are urged to provide protection by adjusting the premium level or the insured amount instead of outrightly declining applications from people with certain conditions. Yet there may be further areas for cooperation with the insurance community, such as education of agents, insurers and consumers.

Equal Pay for Work of Equal Value (EPEV)

A series of meetings were held in 2004 among members of the task force that was set up to steer the consultancy study on EPEV. They provided valuable views and comments on the final draft of the Consultant's Report which followed the study conducted on EPEV in Hong Kong's public sector. Since the appointment of our new Chairperson, Raymond Tang, in December 2004 and our new Members in May 2005, the issues raised in the study and Consultant's Report will be studied further to understand the complex issues at hand, in order to recommend the best and most appropriate way forward. The EOC is fully aware of the wider implications and far-reaching consequences of the future direction to be taken on this subject, as such thorough consideration will be given to all aspects of EPEV before a final decision is reached.

Review of Certain Provisions of the Copyright Ordinance

In December 2004, the Government issued the document *Review of Certain Provisions of the Copyright Ordinance* for public consultation. Major issues involved in the consultation

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《檢討版權條例的若干條文》

2004年12月，政府發表《檢討版權條例的若干條文》文件，並諮詢公眾。諮詢工作的主要議題在於應否及如何修訂豁免範圍。政府已就《版權條例》為視障人士制定若干「允許作為」，例如將版權作品轉製成其他特殊形式版本，為視障人士減少障礙。

委員會對政府回應視障人士的需要深表歡迎，不過，我們亦就諮詢文件作出建議，指出殘疾人士各有不同的需要，要視乎其殘疾類別、程度，以及協助克服殘疾的不同裝置而定。例如，聽障人士需要將以聲音傳送的作品轉製成文字作品；手指只能有限度活動的人士則需要把作品改製成「較容易翻閱」的版本。委員會同時建議政府應另外諮詢殘疾人士及有關的非政府組織，了解他們的需要及在《版權條例》下最適合他們的豁免方案。

exercise were whether there should be any amendment to, and if yes how these should be made, to the provisions on copyright exemption. The Government has undertaken to improve certain “permitted acts” in provisions within the Copyright Ordinance for visually impaired people, such as the transcribing of copyrighted work into specialized formats to improve accessibility for this specialized group of people.

Whilst welcoming the Government’s effort to address the needs of the visually impaired, our submission in response to the consultation document pointed out that the needs of people with disabilities (PWDs) are diverse, depending on the type and degree of disability, as well as the various access devices that are available in overcoming these disabilities. For example, persons with hearing impairment need audio work transcribed into written text while people with limited finger movement require publications to be reprinted on easy-to-flip pages. We also suggested that a separate exercise be carried out to consult PWDs and related NGOs on their needs and the most suitable exemptions for PWDs with regard to the ordinance.

In response to this suggestion, two consultation meetings were held in early 2005 with relevant NGOs to gain their direct views. In view of this positive outcome, we can see that our response has highlighted our role, in mainstreaming disability considerations into the Government’s legislative and policy making processes.

The International Covenant on Economic, Social and Cultural Rights (ICESCR)

The EOC submitted its report on Hong Kong’s Second Report before the 34th Session of the Committee on Economic, Social and Cultural Rights (ICESCR). The ICESCR has applied to

回應上述建議，政府於2005年初與有關的非政府組織舉行了兩次諮詢會議。這正面的回應突顯了委員會的角色，就是將有關殘疾的考慮引入政府立法及政策制定的程序。

《經濟、社會與文化權利國際公約》

委員會就香港特別行政區於聯合國經濟、社會、文化權利委員會第34屆會議前發表的第二次報告書提交了報告。《經濟、社會與文化權利國際公約》自1976年起適用於香港，《香港特別行政區基本法》亦定明《經濟、社會與文化權利國際公約》適用於香港的有關規定繼續生效，並通過香港法律予以實施。提交予日內瓦第34屆經濟、社會與文化權利委員會的報告突出了自2001年第一份報告提交後，香港在履行國際公約的有關工作。

委員會的立場書促請政府加快立法程序，盡快把反種族歧視法例擴展至私營界別。委員會建議政府在周詳規劃和廣泛諮詢公眾後，考慮在香港設立一個獨立的人權委員會，以便能更具成本效益，妥善處理各方面的人權問題。

Hong Kong since 1976, and the Basic Law of the HKSAR states that the provisions of the ICESCR as applied to Hong Kong, shall remain in force and shall be implemented through the laws of the HKSAR. The report, submitted to the 34th Session of the Committee on Economic, Social and Cultural Rights in Geneva, therefore highlighted the work that has been carried out in Hong Kong to meet our international obligations under the Covenant, since the First Report was submitted in 2001.

Our submission urged the HKSAR Government to speed up the legislative process so that legislation against racial discrimination could be extended to the private sector as soon as practicable. The EOC recommended that the HKSAR Government should consider setting up a single independent human rights commission in Hong Kong through careful planning and wide public consultation, so that the various aspects of human rights can be properly catered for in a more cost-effective manner.

