

從宏觀層面消除歧視 Eliminating Discrimination – The Broader Perspective



殘疾人士的交通需要及為他們提供公共交通票價優惠

立法會內務委員會於2005年底成立「研究殘疾人士的交通需要及為他們提供公共交通票價優惠的事宜小組委員會」，專責探討切合殘疾人士交通需要，替他們提供公共交通票價優惠的可行方案。小組委員會並就只向若干類殘疾人士而不向其他殘疾人士提供優惠是否違反《殘疾歧視條例》，徵詢平等機會委員會的意見。本會主席及代表於2006年共出席了小組委員會五次會議，就擬議的票價優惠計劃的合法性提出意見。

本會向小組委員會表示，有相同及類似需要的個別殘疾人士應得到同等待遇。基本上，本會關注到若參照政府建議的殘疾類別去訂定合資格獲得票價優惠的殘疾人士，有些理應獲得優惠的殘疾人士卻可能得不到優惠。小組委員會認為有需要修訂《殘疾歧視條例》，明確向某類殘疾人士提供票價優惠的做法不會違反《殘疾歧視條例》，並要求政府作出跟進。

Transport Needs of and Provision of Concessionary Public Transport Fares for Persons with a Disability

A Subcommittee to Study the Transport Needs of and Provision of Concessionary Public Transport Fares for Persons with Disabilities was formed under the House Committee of the Legislative Council in late 2005. The Subcommittee focused its work on exploring feasible options to cater for the transport needs and to provide concessionary public transport fares for persons with a disability. The EOC's views were sought on whether the provision of fare concession to certain groups of persons with a disability but not others, would contravene the DDO. The Chairperson and representatives of the Commission have since attended five meetings of the Subcommittee in 2006 to provide views on the legality of the proposed concessionary scheme.

The EOC advised the Subcommittee that individual persons with a disability who have the same or similar need should be treated equally. In essence, we are concerned with whether there may be deserving persons with a disability who are left out of the scheme, if selection of eligible persons with a disability is done by reference to types of disabilities as proposed by the Government. The Subcommittee considered that it is desirable to amend the DDO, to put it beyond doubt that selective provision of concessionary fares to persons with a disability would not constitute a contravention of DDO, and asked the Administration to follow up accordingly.

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《公民權利及政治權利國際公約》

在聯合國有關委員會審議香港特別行政區政府提交《公民權利及政治權利國際公約》的第二次定期報告前，本委員會於2006年3月向立法會民政事務委員會提交了對特區政府在本港實施公約的意見。委員會再次要求政府通過我們多年前提出、且已為政府接納的《性別歧視條例》修訂建議。委員會亦促請政府為投票站選址時，採用更多方便行動困難人士的場地；立法禁止種族、年齡和性傾向歧視，以履行其國際責任；和設立「精神健康局」以制定和統籌有關精神健康的全面策略。

同值同酬

同值同酬研究於2003年完成，其後委員會主席和管治委員會連番變動，故此《顧問報告》仍未公布。現任管治委員會於2005年12月同意成立專責工作小組，研究有關事宜的未來路向。預料《顧問報告》將於本年稍後發表。

The International Covenant on Civil and Political Rights (ICCPR)

In March 2006, the Commission submitted comments on the HKSAR Government's implementation of ICCPR in Hong Kong to the Panel on Home Affairs of the LegCo before the HKSAR's second periodic report on the subject was heard by the relevant United Nations committee. In that submission, the EOC reiterated our request for the Government to introduce the amendments to the SDO accepted by the Government some years ago. We also urged the Government to identify more venues accessible to mobility-impaired persons for use as polling stations in future; to legislate against discrimination on the grounds of race, age and sexual orientation in order to meet its international obligations; and to set up a Mental Health Council to formulate and coordinate a comprehensive strategy on mental health.

Equal Pay for Work of Equal Value (EPEV)

The Commission supports the principle of equal pay for work of equal value which is a concept practiced in a number of countries overseas to address the issue that women, as a group, are paid less than men for doing the same job. The Commission's Study on Equal Pay for Work of Equal Value is now complete, and will be released later in the year.

參與愛滋病顧問局的工作

在仍然缺乏有效治療的情況下，預防工作是遏止愛滋病的最佳方法。然而，偏見、負面標籤和歧視對預防愛滋病卻構成重大障礙。

衛生福利及食物局局長於2005年12月委任委員會政策及研究組主管為愛滋病顧問局委員。透過這途徑，委員會積極參與愛滋病預防工作，向顧問局從平等機會角度提出意見。除了常規會議外，我們亦參加該局愛滋病社區論壇屬下的婦女及兒童工作小組，就向這兩類別市民宣傳預防愛滋病的策略提出建議。

檢討《版權條例》的條文

回應政府檢討《版權條例》若干條文而進行的公眾諮詢，委員會倡議，在考慮給予某些認許行為豁免時，宜以公平和不歧視的態度，考慮殘疾人士的不同需要。政府接納了這意見，並向殘疾人士群體和非政府組織進行諮詢。其後，工商及科技局於2006年3月提出立法建議，改善《版權條例》下獲豁免的範圍。有關條例草案提供了新的認許行為，配合有閱讀障礙人士的特殊需要。

Participation in the Work of Advisory Council on AIDS (ACA)

In the absence of an effective cure, prevention is the only available tool to contain the HIV/AIDS epidemic. Prejudice, stigma and discrimination, however, present major obstacles to effective prevention of HIV/AIDS.

The Secretary for Health, Welfare and Foods appointed the Head of Policy and Research Unit of the EOC as a member of the Advisory Council on AIDS in December 2005. Through this channel, we have actively participated in and provided input from an equal opportunity perspective to the prevention work of the ACA. Apart from participating in the meetings of the ACA, we also participated in the Working Group on Women and Children formed under the Community Forum of the ACA to recommend HIV/AIDS strategies for these two groups of people.

Review of Provisions in the Copyright Ordinance

In response to the public consultation on the review of certain provisions of the Copyright Ordinance, the EOC advised the Government to take into account the diverse needs of people with disabilities in a fair and non-discriminatory manner when considering exemptions for some permitted acts under the Ordinance. The Government has also taken our advice to consult the disability community and NGOs in this respect. After consultation, the Commerce, Industry and Technology Bureau made a legislative proposal in March 2006 to improve the exemption regimes of the Copyright Ordinance. The Bill provided a new permitted act to meet the special reading needs of persons with a disability with a print disability.