

Subcommittee on Rights of Ethnic Minorities

Provision of Venues in Districts for Ethnic Minorities to Conduct Religious and Cultural Activities

Submission from the Equal Opportunities Commission

Purpose of the Paper

This paper sets out the Equal Opportunities Commission's (EOC's) views to the Subcommittee on Rights of Ethnic Minorities regarding the provision of venues for ethnic minorities (EMs) to conduct religious and cultural activities.

The Race Discrimination Ordinance (RDO)

2. Although the RDO does not cover religious discrimination in Hong Kong, drawing a clear line between race and religion is often difficult. Religious and cultural practices may be linked to racial identity. In certain religious groups that are closely associated with people of particular racial origin(s), racial identity sometimes includes religious identity. In such cases, any imposed condition or requirement that affects religious practices may constitute indirect discrimination on the ground of race, unless it can be justified on non-racial grounds. For example, a blanket ban on beards without any justifiable reason may indirectly discriminate against ethnic groups whose religious practice or custom is to wear beards.

3. In the context of this paper, discrimination on the ground of race may occur if accessing services for cultural or religious activities is unjustifiably

denied or made difficult for certain racial groups based on the fact that their races are closely related to those particular cultural or religious practices .

Growth of EM Population

4. According to the summary results of 2016 Population By-census¹, the EM population in Hong Kong (including foreign domestic helpers) grew by 70% over the past 10 years (from 342,198 in 2006 to 584,383 in 2016). In particular, there was a remarkable growth in the population of certain South Asian ethnicities, including Indian (78% increase), Nepalese (60% increase) and Pakistani (63% increase), eight to ten times higher than the respective growth in the overall population. Excluding foreign domestic helpers, these three South Asian groups made up 29% of the EM population in Hong Kong in 2016. At the same time, due to the sharp population growth of foreign domestic helpers, Filipino and Indonesian populations in Hong Kong have also increased by 63% and 75% respectively since 2006.

5. Their population distribution has also shifted significantly. The number of Indians and Pakistanis settling in the New Territories has increased by more than double since 2006, making up 31.2% and 53.2% of respective populations in 2016. The same trend could be seen in the Nepalese population living in Kowloon.

6. Some of the ethnic groups mentioned above strongly identify with their religion. For instance, Islam is the dominant religion among Pakistanis and Indonesians, both in their countries of origin and in Hong Kong. Besides, the

¹ Census and Statistics Department (2017), *2016 Population By-census - Main Results*. Retrieved from <http://www.byccensus2016.gov.hk/data/16bc-main-results.pdf>

Sikh people (an ethnic group of India) is basically defined by their religion (Sikhism).

Paucity of Venues for Religious Activities

7. The growing numbers of EMs and their geographical spread in Hong Kong has not been matched by an increase in places of worship, such as mosques for the Pakistanis and Indonesians or temples for the Sikhs. In our interactions with EM groups, different communities (including but not limited to Nepalese, Pakistani, Sikh, Sri Lankan, etc.) have brought up the issue of requiring more dedicated venues for the community members to congregate, pray, as well as celebrate their cultural and religious festivals. Despite the fact that religious discrimination is not within the jurisdiction of the EOC, in keeping with the general principle of community integration and equal opportunities, we would like to put forward their concerns in this area. Taking Pakistani Muslims as an example, the following cases showed the difficulties and hurdles they face:

Ibrahim Mosque

8. Since the Chai Wan Ammar Mosque was built in 1963 and the Kowloon mosque was expanded in 1984, it was almost three decades before a new mosque, the Ibrahim Mosque in Yau Ma Tei, opened to the public in 2013. It is surrounded by construction sites and the piece of land on which it stands, leased under a short-term contract, has to be returned to the Government for the rail project by the end of this month. The community, facing the removal and possibly closure of the mosque, is in talks with relevant Government departments for alternative land and temporary premises. The large number of

Muslims served by the mosque everyday will definitely be deprived of this benefit should alternative arrangements not be found.

Sheung Shui Mosque Development Project

9. The long-drawn case of the Sheung Shui Mosque Development Project also reflects the typical hurdles faced by the EM community to secure a long-term venue for cultural and religious activities. Over the past two decades, the project came to a standstill due to a combination of factors, such as objection by the residents of the neighbourhood at the consultation stage; relatively higher threshold of land grant from the Government (\$10M land premium price, far higher than those for welfare purposes); fund-raising stalemate after such a lengthy process, etc. A case study on this project published in *Asian Anthropology* in 2015 concluded that “*the delays and objections to the mosque project highlight a lack of knowledge of Islam among Hong Kong citizens and within the government.... (and) showcase the marginalization of ethnic minorities and most significantly, the distinct tendency to overlook Islam and see it as something entirely “foreign” to Hong Kong*”.² There seems to be a strong case for more public education about various EM communities, their contributions to Hong Kong and their cultural and religious practices; and more awareness from the Government to provide support in addressing the religious needs of these communities.

Recommendations

10. Interactions can foster mutual understanding and dispel misconceptions and thus must be actively encouraged between the mainstream and EM

² Lok-yin Law (2015), *Hong Kong citizens’ understanding of Islam: the case of the Sheung Shui Mosque development project*, *Asian Anthropology* Vol. 14, Iss. 1, 2015

communities. Providing EM communities with necessary facilities to observe their religious practices and celebrate cultural festivals in their neighbourhoods may be an effective way to prevent discrimination and develop sense of belongingness. For this, the Government is highly recommended to:

- i. Consider the religious needs of certain racial groups as a basic need in neighbourhood planning and decision making on land use as well as facility utilization (similar to welfare needs);
- ii. Provide active support by the Home Affairs Department at both district and central levels to help EM groups understand the procedures of booking and securing venues and facilities for religious and cultural activities as most of these groups seem to be less aware of the system and are generally more passive in seeking help; and
- iii. Conduct more public education to the mainstream community about the religious and cultural practices of various ethnic groups, focusing on the messages that EMs have a long history of contributing to Hong Kong society; they are an integral part of the neighbourhood; and their religious establishments serve similar functions as churches and temples.

11. We also called for the attention and support from relevant Government departments to the above-mentioned cases of the Ibrahim Mosque and Sheung Shui Mosque Development Project such that existing service could be maintained and approved plan could be executed.

Conclusion

12. Going beyond the issue of venues for religious and cultural activities, the EOC sees a genuine need for greater integration and understanding of racial minorities in Hong Kong. It would be truly wonderful to see a time when the major religious and cultural festivals of Hong Kong's various racial groups are

marked and celebrated by all Hong Kong people. Some of the ways to achieve this include listing principal festivals of racially minority groups as public holidays as is observed in Singapore; issuing official greetings to the public and highlighting the cultural and religious significance of these festivals; or/and launching public events to celebrate these festivals with the mainstream community.

13. While there are facilities and freedom for all minorities in Hong Kong to practice their faith and celebrate their special occasions, it is the public understanding and sharing of these celebrations and festivities that should be encouraged and nurtured to build a truly cohesive multicultural society.

Equal Opportunities Commission

December 2017