



## **COMMENTS ON THE OUTLINE OF THE TOPICS TO BE COVERED IN THE THIRD REPORT OF THE HONG KONG SPECIAL ADMINISTRATIVE REGION UNDER THE UNITED NATIONS CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN**

### Article 2: Obligations of States Parties

- Insufficient authority vested in the Women's Commission to implement gender-mainstreaming throughout policy design and evaluation processes, including those related to combating gender-based violence  
AIHK believes that the Women's Commission is too weak to be a central mechanism in advocating and implementing gender mainstreaming in all policies and legislation. AIHK requests that the government give more information about the effectiveness of the Women's Commission in ensuring gender-mainstreaming throughout policy design and evaluation processes, including those related to combating gender-based violence.

### Article 5: Stereotyping and Prejudices

- Gender-based violence in the home  
AIHK requests the HKSAR Government to provide figures to the Committee on domestic violence cases reported to the police, and the number of cases prosecuted under the Crimes Ordinance and the Offences against the Person Ordinance respectively since 2006.
- Protection for victims of gender-based violence  
Regarding the short validity period of Injunction orders (3 months, extendable to 6 months) against perpetrators of domestic violence, AIHK requests the HKSAR Government to explain how existing arrangements can be considered sufficient enough period for survivors of gender-based violence in the home to settle into their new lives without being threatened by further violence from the perpetrators.
- Training programs for official personnel involved with victims of gender-based violence in the home  
AIHK requests the HKSAR government to provide information on the training programs for all personnel who have contact with victims of domestic violence, including law enforcement officials and social workers. Information should include program details, frequency, number of trainees and their position in the relevant government authorities and departments.
- Concerns that separate court procedures have increased the chances of intimidation by perpetrators against victims who undertake legal proceedings  
The existence of separate court procedures dealing with the criminal and civil aspects of cases of gender-based violence in the home creates more opportunities for the perpetrators to harass and intimidate the victims. This situation also presents logistical and other difficulties for women who need to attend different courts in order to resolve issues arising from the same case.

AIHK requests the HKSAR government to explain the measure(s) it has taken to ensure that the safety of victims of gender-based violence in the family is protected while undergoing legal proceedings, and explain to the Committee the reason(s) behind the existing arrangements.

- Ensure reparations for victims and sufficient and good quality resources for victims to restore physical and mental integrity

AIHK requests the HKSAR government to provide the details of measure(s) taken to ensure that victims of gender-based violence receive adequate resources e.g. shelter services, economic assistance and housing. AIHK also asks how, in the absence of a compensation scheme for victims of gender-based violence, the government can ensure that victims of gender-based violence receive reparations for the pain they have suffered, the loss of opportunities, material damage, harm to their reputation, and the cost of legal, medical and psychological services.

#### Article 7: Equality in Political and Public Life at the National Level

- Low representation of women in public office, resulting in a low level of participation by women in the making and implementation of policy

AIHK is aware that in its Concluding Observations in 2006, the Committee expressed concern that the electoral system of functional constituencies may constitute indirect discrimination against women, as it results in the unequal participation of women in political life. These concerns were also expressed in the Committee's Concluding Observations of 1999.

According to official statistics,<sup>1</sup> women continue to be grossly under-represented in decision-making bodies: As of June 2010, 4 principal officials out of the total of 20 were women (20%). There are only 7 female members of the Executive Council out of 30 members (23.3%). Only 11 of 60 legislators (18.3 %) are women; 97 women out of 462 (20.9%) are served as District Councilors; of the non-official members serving on public sector advisory and statutory bodies in 2008, 1,140 out of 4,608 were women (24.7%).

In its Concluding Observations in both 1999 and 2006, the Committee recommended that the HKSAR government adopt special measures to ensure the equal participation of women in political life and recommended that the HKSAR government study the experience of other countries with a view to applying this experience in Hong Kong.

AIHK requests the HKSAR government to give details of how it has implemented the Committee's recommendations to take special measures to address the gender imbalance in decision-making bodies, and the unequal participation of women in political life.

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<sup>1</sup> Women and Men in Hong Kong *Key Statistics* 2010 Edition