

## **PUBLIC STATEMENT ON THE REPORT BY THE HONG KONG GOVERNMENT ADVISORY GROUP ON ELIMINATING DISCRIMINATION AGAINST SEXUAL MINORITIES:**

### **Community Business calls for concrete plan from the Hong Kong Government on eliminating discrimination against sexual minorities**

**Hong Kong, 22 January 2016** – Community Business, a not-for-profit organisation focusing on responsible business and a thought leader on Diversity & Inclusion, expresses disappointment with the long-awaited report by the Hong Kong Government Advisory Group on Eliminating Discrimination Against Sexual Minorities. While Community Business recognises the amount of research and study that the Advisory Group has done, the organisation is disappointed by the recommendations of the report.

***“The most fundamental and effective measure to eliminate discrimination, the introduction of legislative protection for sexual minorities, has not been addressed, despite calls for legislation by the community for years,” commented Mrs. Fern Ngai, CEO of Community Business. “Instead, the report recommends a number of measures such as training and publicity, and further studies. If Hong Kong is to truly be Asia’s world city, it must consider timely and effective measures, and be more in step with many progressive jurisdictions around the world that support equality for Lesbian, Gay, Bi-sexual and Transgender (LGBT) individuals.”***

Community Business also questions the effectiveness of a voluntary employer charter on non-discrimination, which is one of the five recommendations that the report makes. The Government introduced the Code of Practice against Discrimination in Employment on the Ground of Sexual Orientation (the “Code”) in 1998 and 146 organisations in the public and private sector have pledged to adopt the Code as at 30 October 2015.

***“While we appreciate the intent of the Code of Practice, even with 146 pledges, it does not appear to have led to more inclusive work environments for LGBT employees that are in line with international best practice,” said Mrs. Ngai. “We know from our work and engagement with the corporate sector that many progressive companies, most of which are not signatories of the Code, are doing much more than the Code recommends as they understand the strong business case for creating an inclusive workplace for their LGBT employees. Asking organisations to sign a voluntary Code of Practice or Charter without accountability for real action is ineffective.”***

***“We call on the Hong Kong Government to act upon its avowed commitment to address the issue of discrimination faced by sexual minorities in Hong Kong. Many studies including Community Business’ Hong Kong LGBT Climate Study have shown that LGBT individuals face discrimination in the workplace and in their personal lives. We also know from working with community groups that young LGBT people face harassment and bullying. We urge the Government to take concrete steps to introduce legislation against discrimination on the grounds of sexual orientation and gender identity,” said Mrs. Ngai.***

Community Business is also disappointed that the Report has no mention about the role of the Hong Kong SAR Government, a major service provider and Hong Kong's largest employer, in nurturing a culture of diversity and mutual respect and inclusion in its workforce.

***Mrs. Ngai continued, “We feel that the Government has a significant role to play in leading by example. As Hong Kong’s largest employer, it not only has a duty of care for all of its employees, it should create an inclusive work environment that embraces diversity and enables each individual to have an equal and fair opportunity to contribute and to realise his/her potential. The Government’s influence will help foster a more inclusive society.***

***Later this year, we hope the Government accepts our invitation to participate in our pioneering Hong Kong LGBT Workplace Inclusion Index, which benchmarks and measures progress on LGBT inclusion.”***

In the provision of services and policy, Community Business urges the Hong Kong government to amend its current immigration policy which does not recognise foreign registered same-sex partnerships and marriages for immigration purposes – particularly in regards to the granting of dependent visas. This is a key issue for the Hong Kong business community. As a regional hub for international financial, legal, and professional services, Hong Kong competes in the global market for the best workforce talent and skills. Attracting, retaining and engaging a competitive talent pool is a key priority for companies operating in Hong Kong, and the current immigration policy has the potential to be a significant obstacle in achieving this.

### **Call to Action**

1. Work out a timeline with concrete actions to introduce legislation against discrimination on the grounds of sexual orientation and gender identity.
2. Amend the current immigration policy to recognise foreign registered same-sex partnerships and marriages for immigration purposes.
3. As Hong Kong’s largest employer, lead by example by creating an inclusive workplace for its LGBT employees.
4. Participate in the Hong Kong LGBT Workplace Inclusion Index and communicate its progress on LGBT workplace inclusion publicly to set an example for all Hong Kong companies.

For more information about Community Business’ LGBT Workplace Inclusion Index, refer to:  
<http://www.communitybusiness.org/hklgbtindex/>

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### About the Hong Kong LGBT Workplace Inclusion Index

The Hong Kong LGBT Workplace Inclusion Index is the first and only benchmark on workplace inclusion practices and initiatives for lesbian, gay, bisexual and transgender (LGBT) employees in Asia. Launched by Community Business in 2015, it is a pioneering initiative that provides companies in Hong Kong with a credible and robust tool to assess, progress and promote their efforts towards LGBT inclusion. For more information, please visit [www.communitybusiness.org/hklgbtindex](http://www.communitybusiness.org/hklgbtindex).

The Hong Kong LGBT Workplace Inclusion Index will be offered every other year, to give organisations sufficient time to make progress on their LGBT inclusion strategies. The next iteration will cover the calendar years of 2015 and 2016 and nominations will be open in Q4 2016.

### About Community Business

Community Business is a not-for-profit organisation (Hong Kong Charity Number 91/6560) whose mission is to lead, inspire and support businesses to have a positive impact on people and communities. Recognised as a thought leader in corporate responsibility and diversity and inclusion in Asia, Community Business conducts research, facilitates networks and events, leads campaigns and provides consultancy and training. With a focus on Responsible Business, our work is aligned to 5 mission-led themes:

- Investing and supporting local communities
- Tackling inequality in the workplace
- Ensuring happy, healthy, and engaged employees
- Promoting social inclusion
- Building responsible business leadership

Founded in 2003 and based in Hong Kong with a presence in India and the United Kingdom, Community Business works with companies of all sizes and from diverse industries across Asia, harnessing the power of business to drive social change. For more information, please visit <http://www.communitybusiness.org>.