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COMMENT LETTERS

## Banks still refusing to let ethnic minorities open an account in Hong Kong

Phyllis Cheung

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The Monetary Authority should strictly enforce its Treat Customers Fairly Charter. Photo: SCMP Pictures

The difficulties faced by ethnic minorities opening bank accounts are not news any more.

Since 2008, Hong Kong Unison has received more than 80 complaints against banks which directly and/or indirectly refused their applications.

In 2011, the Equal Opportunities Commission (EOC) considered nationality rather than race discrimination the main cause for a bank refusing to open an account for a Hong Kong resident of Pakistani nationality. Nationality, citizenship and resident status are not protected under the Race Discrimination Ordinance.

For the first time since the ordinance came into force in 2009, stakeholders shared the many experiences of discrimination faced by ethnic minorities in accessing banks' services at a recent meeting organised by the Hong Kong Monetary Authority. Not to my surprise, most representatives of banks at the meeting said the problem lay with the "lack of sensitivity" on the part of front-line staff; banks had no intention to discriminate.

However, a discriminatory motivation is not necessarily required for an act to constitute discrimination under the ordinance. What counts is whether the applicant is treated less favorably compared to others or whether the requirement imposed by the bank is unjustifiable, more difficult for ethnic minorities than Chinese people to fulfil, and detrimental to ethnic minorities.

It was unfortunate that the EOC and the Constitutional and Mainland Affairs Bureau did not attend the meeting. The EOC and the government were clearly reluctant to even study the importance of amending the ordinance to include nationality, citizenship and residence status as protected characteristics through this meeting. This raises doubts whether the government and the EOC see ethnic minority residents as Hongkongers at all and more importantly, recognise the need to ensure their equal protection under the law.

While advocating the importance of rectifying these gaps, I urge the

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Monetary Authority to strictly enforce its Treat Customers Fairly Charter and require banks to provide specific staff training on the charter to ensure ethnic minorities have equal access to banking services.

A bank account is as essential as other basic necessities in life and indispensable to facilitating the effective management of our finances.

How can the government, the Monetary Authority and the EOC tolerate such a violation of the rights of our ethnic minority people in Hong Kong, Asia's world city?

Phyllis Cheung, executive director, Hong Kong Unison

This article appeared in the South China Morning Post print edition as Banks still refusing to let ethnic minorities open an account

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