

# 立法會 *Legislative Council*

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## **Panel on Home Affairs**

### **Background brief prepared by Legislative Council Secretariat for the meeting on 21 June 2005**

#### **The International Covenant on Economic, Social and Cultural Rights**

#### **Purpose**

This paper gives an account of the discussion of the Panel on Home Affairs on the reports submitted by the Hong Kong Special Administrative Region (HKSAR) to the United Nations (UN) under the International Covenant on Economic, Social and Cultural Rights (ICESCR).

#### **Background**

2. The Government of the United Kingdom extended ICESCR to Hong Kong in 1976. The Government of the People's Republic of China (PRC) notified UN in June 1997 that the provisions of ICESCR as applied to Hong Kong would remain in force from 1 July 1997.

3. ICESCR followed a five-year reporting cycle. The first report of HKSAR under ICESCR was submitted by the Central People's Government (CPG) to UN in mid-1999 and was heard by the UN Committee on Covenant on Economic, Social and Cultural Rights (CESCR) in April 2001. CESCR issued its Concluding Observations on HKSAR's first report on 11 May 2001, a copy of which is in **Appendix I**.

4. CPG ratified ICESCR on 27 March 2001 and the treaty took effect in China on 27 June 2001. PRC's initial report under ICESCR was due in mid-2003. HKSAR's second report under ICESCR was submitted to UN, as part of PRC's initial report, in June 2003.

5. CESCR considered PRC's initial report (including the reports of Hong Kong and Macau) on the implementation of ICESCR at its meetings on 27, 28 and 29 April 2005, and issued its Concluding Observations on the second

report of HKSAR under ICESCR on 13 May 2005. The Concluding Observations were issued to members vide LC Paper No. CB(2)1634/04-05(01) on 20 May 2005.

## **Panel discussion on the first report of HKSAR under ICESCR**

### First report submitted in 1999

6. The Panel on Home Affairs discussed the first report of HKSAR submitted to UN under ICESCR with deputations and the Administration at its meeting on 26 February 2001.

#### *Racial discrimination and discrimination on the ground of sexual orientation*

7. Some members had expressed concern that the Administration would decide on the need for enacting legislation to prohibit racial discrimination and discrimination on the ground of sexual orientation on the basis of public opinion surveys, i.e. based on the majority view. The Administration responded that it would not consider the need for legislation merely based on the results of public opinion surveys. However, the support of the community was necessary for the introduction of legislation with wide-ranging social implications. The Administration pointed out that it had proactively approached the minority groups concerned for a better understanding of the problems they encountered. Moreover, it would enhance public education to promote awareness of discrimination issues, and would organise meetings with the relevant non-governmental organisations (NGOs) and representatives of the minority groups to address their concern.

#### *Age discrimination*

8. Some members pointed out that there had been a significant increase in the number of complaint cases on age discrimination. They urged the Administration to proactively consider legislating against age discrimination. The Administration responded that an opinion survey conducted by the Education and Manpower Bureau (EMB) in 1999 found that the community had divided views on the need for introducing legislation against age discrimination. Publicity and public education in this area had since been stepped up, and EMB would conduct a review towards the end of 2001 to evaluate the effectiveness of its publicity efforts. The Administration pointed out that it would be very difficult to prove, for example, that the rejection of a job application from a middle-aged person was due to age discrimination. A member queried why the Administration considered it more difficult to prove age discrimination than the other forms of discrimination, e.g. discrimination on the basis of sex and family status, which were prohibited under existing law. He suggested that the Administration should make reference to overseas

experience in the implementation of age discrimination law.

*Protection of children and young persons*

9. A member pointed out that CESCR had expressed concern over “an absence of a holistic child policy for the protection of children from all forms of abuse” in Hong Kong. The member considered that the Government should set up an independent mechanism, similar to the Elderly Commission and the Women’s Commission, to oversee the formulation and implementation of Government policies in relation to the protection of the rights of the child. The Administration responded that there was sufficient protection in legislation for the rights and interests of children and young persons, and the proposed mechanism would not be necessary.

Concluding observations issued by CESCR on the first report

10. The Panel on Home Affairs discussed the Concluding Observations issued by CESCR on the first report of HKSAR with the Administration at its meeting on 16 July 2001.

*Establishment of human rights institution in HKSAR*

11. Some members pointed out that CESCR had repeatedly urged HKSAR to establish a human rights institution, and had expressed regret in paragraph 32 of its Concluding Observations that HKSAR had not yet established such an institution. The Administration responded that the Government of HKSAR did not see any urgent need to set up a human rights institution, and CESCR had not regarded HKSAR’s failure to establish such an institution as a breach of the Covenant. The Administration would review the need to establish a new institution if a major fault was identified in the existing framework for the protection of human rights.

*Age discrimination and discrimination on the ground of sexual orientation*

12. In response to concern reiterated by CESCR in its Concluding Observations concerning the absence of legislation in HKSAR to prohibit age discrimination and discrimination on the ground of sexual orientation, the Administration explained that it would need more time to conduct study on these issues, especially on the question of whether legislation should be introduced to prohibit discrimination on the ground of sexual orientation as it could give rise to moral controversies. The Administration was of the view that a combination of administrative measures and public education was a better way of tackling these discrimination issues than enacting anti-discrimination legislation in a hasty manner.

*Interpretation of provisions of UN human rights treaties*

13. A member expressed concern that in paragraph 27 of the Concluding Observations, there seemed to be an implied criticism of the judges in HKSAR about their interpretation of the provisions of ICESCR. He asked whether the Administration would make suggestion to the Judiciary to conduct seminars for judges on HKSAR's obligations under various international human rights treaties, and whether the Department of Justice would draw the attention of the Judiciary to the relevant recommendation made by the UN Committee in its Concluding Observations.

14. The Administration responded that it had sent a copy of the Concluding Observations to the Judiciary and, given the principle of judicial independence, it was for the Judiciary to decide whether it wished to take any follow-up actions. The Administration pointed out that whenever UN human rights ambassadors visited HKSAR, judges were also invited to informal meetings for exchanges of views with the UN human rights ambassadors.

*Obligations under ICESCR*

15. A member expressed concern that the Administration had not devised a timetable for fully implementing the provisions of ICESCR. The Administration pointed out that while the Government of HKSAR was obliged to implement the provisions of ICESCR, Article 2 of ICESCR stated that the States Parties should achieve progressively the full realisation of the rights recognised by the Covenant.

**Panel discussion on the second report of HKSAR under ICESCR**

Outline of topics to be covered in the second report

16. The Panel on Home Affairs discussed the outline of topics to be covered in the second report of HKSAR for submission to UN under ICESCR with deputations and the Administration at its meetings on 10 January 2003 and 7 February 2003.

*Legislation against racial discrimination*

17. In response to members' concern, the Administration undertook that it would include this issue in the second report of HKSAR to be prepared and would come to a decision on the issue as soon as possible.

*Poverty*

18. Some members considered that the Administration should include in

HKSAR's second report the reduction of 10% to 20% implemented by the Government in the standard payment rate under the Comprehensive Social Security Assistance (CSSA) Scheme for families of three persons or more in 1999, and a possible further reduction of 11.1% in the following financial year. These members suggested that the Administration should explain in its report how the reduction rate were arrived at and its impact on the standard of living of CSSA recipients.

*The right of abode (ROA) issue*

19. Some members urged the Administration to address the concern expressed by CESCR in its Concluding Observations about the hardship arising from the HKSAR's policies on permanent residence and split families. They urged the Administration to adopt a just and humane approach for resolving the problem of ROA.

20. The Administration pointed out that the Interpretation issued by the Standing Committee of the National People's Congress on 26 June 1999 (the Interpretation) was valid and legally binding on Hong Kong courts, as so recognised by the Court of Final Appeal (CFA). The Administration noted that a recommendation made by the UN Committee in its Concluding Observations concerning HKSAR published in May 2001 was that the Government of HKSAR should "reconsider extending the concession" made following the Interpretation. After receiving the Concluding Observations, the Administration had carefully considered the question of extending the concession having regard to all relevant factors, including local laws and international obligations. In the end, the Administration had concluded against making any extension to the concession. However, the Director of Immigration could exercise his discretion under the Immigration Ordinance (Cap. 115) on a case-by-case basis where there were exceptional humanitarian and compassionate grounds. The Administration's decision had been conveyed through the Ambassador and Deputy Permanent Representative of the People's Republic of China to UN to CESCR in his letter dated 26 July 2002.

21. The Administration further informed members that since the delivery of the CFA judgment, the Government of HKSAR had appealed to the ROA claimants who had lost their cases in court to return to the Mainland, and had suggested to them that eligible persons should apply through the One-way Permit (OWP) and Two-way Permit Schemes to settle with or visit their family members in Hong Kong. At the same time, the Government of HKSAR had raised with CPG the possibility of allowing more Mainland young people to come to Hong Kong to take care of their aged parents. The Administration stressed that since the OWP Scheme was operated by the Mainland authorities in accordance with the Mainland laws, any changes to the OWP Scheme were ultimately for the Mainland authorities to decide.

*Protection of children and juveniles*

22. A member expressed concern about the treatment of children in correctional/residential homes, as he had come across cases in which children were put in isolated detention in these homes which he considered inhumane, and a child in one of the cases had committed suicide. The Administration informed the Panel that a review had been conducted by the Management Services Agency in 1998-99 with the aim of improving the management and operation of these homes. Taking into account the recommendations of the review together with those of the report of the Hong Kong Human Rights Monitor in 2001, the Administration had implemented a package of measures to enhance the operation of correctional/residential homes.

Second report submitted in June 2003

23. The Panel on Home Affairs discussed, inter alia, the second report of HKSAR submitted to UN under ICESCR with deputations and the Administration at its meeting on 11 June 2004.

*Legislation against racial discrimination*

24. The Administration informed members that the drafting of the Bill was underway, and the plan was for the Bill to be introduced into the Legislative Council (LegCo) during the 2004-05 legislative session. The Administration pointed out that according to a public opinion poll conducted in March 2004, about 60% of the respondents were in favour of legislating against racial discrimination.

*Discrimination on the ground of sex orientation*

25. The Administration informed members that it would conduct extensive public consultation on legislating against discrimination on the ground of sex orientation. Meanwhile, the Administration kept in view the ongoing lawsuits concerning same-sex marriages in the United States and Canada.

*Integration of non-Chinese speaking children into local community*

26. Members had raised question about the measures which had been taken to facilitate integration of non-Chinese speaking children into local community. The Administration informed the Panel that in the past, non-Chinese speaking children participating in the Primary One Admission (POA) central allocation could only select those schools with the tradition of admitting more non-Chinese speaking children. Under the Secondary School Places Allocation (SSPA) system, a separate list of secondary schools offering a third language (e.g. French or Urdu) and accepting this group of students was

provided for parents' choice in the Central Allocation stage. Under the revised arrangements, non-Chinese speaking children participating in the current cycle of POA and SSPA central allocation could choose non-Chinese speaking schools or local schools like their Chinese counterparts. In addition, support measures would be made available to those schools which admitted non-Chinese speaking children and to those non-Chinese speaking children allocated to mainstream schools.

### *Poverty*

27. Some members noted with concern that according to the information provided by a deputation, the number of children on CSSA had increased from 30 000 as at 1993 to 150 000 as at January 2004. They considered it necessary for the Administration to devise a scientific method in collaboration with NGOs concerned for calculating the number of non-CSSA children who were living below the poverty line, and formulate a policy to assist the families concerned.

28. The Administration responded that statistics showed that the number of CSSA recipients aged below 15 had increased from 19 612 as at end of 1993 to 118 864 as at end of 2003. The percentage share of recipients aged below 15 among all CSSA recipients had increased from 16.2% to 22.8% over the same period. The increase in the number of CSSA recipients aged below 15 could be attributed to an increase in family cases involving mostly adult recipients, as well as children under 15. The Administration explained that in fact, the number of CSSA recipients aged 15 - 59 (who were mainly able-bodied recipients) had increased from 30 992 as at end of 1993 to 224 339 as at end of 2003. The percentage share of recipients aged 15 - 59 among all CSSA recipients had increased from 25.6% to 42.9% over the same period. The total number of CSSA recipients had also increased from 121 060 as at end of 1993 to 522 456 as at end of 2003. The change in the number of CSSA recipients aged under 15 showed no significant departure from the trend of increase in the number of able-bodied recipients or the total number of CSSA recipients.

29. As regards the proposal of adopting scientific calculations to work out the number of children living in poverty, the Administration considered that such calculations would inevitably involve subjective value judgment. At present, there were no universally agreed definitions or measurements of poverty. There would also be difficulty in factoring the various forms of intangible income (e.g. subsidised housing, education, health care and welfare services) into the formula. The Administration also pointed out that needy families not receiving CSSA could also apply for other assistance, such as child care fee assistance, student travel subsidy, school textbook assistance, school fee remission and medical fee waiver.

**Relevant questions raised at Council meetings**

30. Details of the questions relating to ICESCR raised at Council meetings since the first term of LegCo are in **Appendix II**.

Council Business Division 2  
Legislative Council Secretariat  
20 June 2005

E/C.12/1/Add.58  
page 1UNITED  
NATIONS

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Economic and Social  
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COMMITTEE ON ECONOMIC, SOCIAL  
AND CULTURAL RIGHTSCONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES  
UNDER ARTICLES 16 AND 17 OF THE COVENANTConcluding observations of the Committee on  
Economic, Social and Cultural Rights

PEOPLE'S REPUBLIC OF CHINA: HONG KONG SPECIAL ADMINISTRATIVE REGION

1. The Committee considered, at its twenty-fifth session, the initial report submitted by the People's Republic Of China on articles 1 to 15 of the Covenant as applied in Hong Kong Special Administrative Region (E/1990/5/Add.43). The Committee considered this report at its 9<sup>th</sup>, 10<sup>th</sup> and 11<sup>th</sup> meetings held on 27 and 30 April. After having considered the report, the Committee adopted at its 29th meeting, held on 11 May 2001, the following concluding observations.

A. Introduction

2. The Committee welcomes the submission of the well-prepared and detailed initial report, which conforms in general with the Committee's guidelines on reporting. The Committee also notes with appreciation the written replies to its list of issues and the additional statistics provided by the HKSAR. The delegation's professionalism and openness contributed to a fruitful and constructive dialogue.

E/C.12/1/Add.58  
page 2

### B. Positive aspects

3. The Committee warmly welcomes the ratification of the Covenant by China.
4. The Committee warmly welcomes the HKSAR's withdrawal of reservations to articles 1 and 7 of the Covenant.
5. The Committee welcomes the HKSAR's wide consultations with civil society organisations and other interested parties as part of the preparation of its initial report. The Committee notes with appreciation that the HKSAR made available to the public at large copies of the report.
6. The Committee commends the HKSAR for its efforts to provide adequate housing for Hong Kong residents. In particular, the Committee notes with appreciation that,
  - a) the old temporary housing accommodations have been demolished with their occupants adequately housed in interim housing while waiting to be permanently housed;
  - b) the Government provides interim housing for evicted squatters, victims of domestic violence and divorced families; and
  - c) self-built structures in squatter communities erected before 1982 and therefore protected by relevant housing policy, in most cases have been provided with basic services including water, sanitation and access to roads with a view to improving the living conditions of the residents.
7. The Committee notes with satisfaction that the Equal Opportunities Commission established in 1996 is effectively carrying out its mandate without interference from the government of HKSAR.
8. The Committee notes with appreciation that the Committee's General Comments are valuable source materials consulted frequently by the Human Rights Unit of the Justice Department.
9. The Committee welcomes the delegation's assurance that all rights enshrined in the Covenant contain certain justiciable aspects. Moreover, the Committee notes with satisfaction that the Covenant is invoked in Hong Kong courts.
10. The Committee welcomes the establishment of a Women's Commission in HKSAR.
11. The Committee commends the HKSAR's programme for training unskilled and unemployed workers with the objective of finding employment for them. The Committee notes with appreciation that the Employers Training Board conducts training programmes for unskilled women and provides them with allowances during training courses.

### C. Factors and difficulties impeding the implementation of the Covenant

12. The Committee notes that issues regarding the right of abode in relation to permanent residence and split families impede the enjoyment of economic, social and cultural rights by the families affected by the reinterpretation (26 June 1999, National People's Congress Standing Committee, NPC-SC) of Article 24 of the Basic Law.

E/C.12/1/Add.58  
page 3

13. While the "ultimate aim is the election of all the members of the Legislative Council by universal suffrage" (article 68, Basic Law), the Committee notes that the current arrangements for the election of the Legislative Council include some undemocratic features which impede the full enjoyment of economic, social and cultural rights in HKSAR.
14. The economic policies of HKSAR, based essentially on the philosophy of "positive non-interventionism", i.e. keeping taxes low and limiting government expenditure to the provision of essential services, in accordance with Article 5 of the Basic Law, which guarantees its free trade, free enterprise and low tax regime for at least 50 years, have had a negative impact on the realisation and enjoyment of the economic, social and cultural rights of Hong Kong's inhabitants, the more so as those policies have been exacerbated by globalisation.

D. Principal subjects of concern

15. The Committee regrets that the HKSAR has not implemented a number of the recommendations in its concluding observations of 1996, despite the delegation's assurance that these must be given effect. The Committee wishes to reiterate in particular its concern on the following issues:
- a) The Covenant's status in HKSAR's domestic legal order continues to be different from that of the International Covenant on Civil and Political Rights, the provisions of which have been incorporated into domestic legislation;
  - b) The failure of the HKSAR to extend the prohibition of race discrimination into the private sector;
  - c) The failure of the HKSAR to prohibit discrimination on the basis of sexual orientation and age;
  - d) The failure of the HKSAR to establish a national human rights institution with a broad mandate and its failure to establish adequate alternative arrangements for the promotion of economic, social and cultural rights;
  - e) The absence of protection against unfair dismissal, lack of adequate regulation on statutory minimum wage, working hours, paid weekly rest, rest breaks and compulsory overtime pay;
  - f) The two-week rule imposed upon foreign domestic helpers upon expiration of their contract denies their right to freely seek employment and to protection from discrimination;
  - g) The lack of a comprehensive policy for the protection of children from all forms of abuse;

16. The Committee greatly regrets that some judgements of the High Court in HKSAR express the opinion that the Covenant is "promotional" (*Mok Chi Hung v. Director of Immigration*, judgement of 5 January 2001) or "aspirational" (*Chan To Foon v. Director of Immigration*, judgement of 11 April 2001) in nature. As the Committee has confirmed on numerous occasions, such opinions are based on a mistaken understanding of the legal obligations arising from the Covenant.
17. The Committee is concerned that the Women's Commission may not have appropriate resources and powers to ensure that a gender perspective is integrated into the formulation of policy.
18. The Committee is gravely concerned about the widespread and unacceptable incidence of poverty in HKSAR. It is especially concerned that a large number of older persons continue to live in poverty without effective access to social services.
19. The Committee is deeply concerned that the HKSAR lacks adequate, institutional arrangements to ensure the formulation and implementation of comprehensive, integrated, consistent and effective anti-poverty strategies.
20. The Committee expresses its regret that in relation to the care of persons with mental illness, the HKSAR is reluctant to authorise the prescription of new drugs that are more costly but more effective and have been shown to produce fewer side effects for the mentally ill. In addition, the Committee notes with concern the apparent lack of initiative on the part of the HKSAR to undertake public education to combat discrimination against those with mental disabilities.
21. The Committee is concerned that many individuals, including women who are homemakers, persons with disabilities, and older persons, are excluded from the Mandatory Provident Fund Scheme.
22. The Committee is deeply concerned about the hardship arising from HKSAR's policies on permanent residence and split families.
23. The Committee expresses its concern about the reported increase in the incidence of child abuse and suicide among the youth.
24. The Committee is concerned that the age of criminal responsibility is set at the young age of seven years.
25. While acknowledging that the HKSAR has made progress in relation to housing, the Committee remains deeply concerned that the right to housing of many people in Hong Kong remains unfulfilled. In the Committee's view, bed-space apartments, or cage homes, are an affront to human dignity and roof-top structures constitute a grave risk to the life and health of their inhabitants.
26. The Committee is concerned that the Public Order Ordinance may be used to restrict trade union activities, such as peaceful campaigns to promote labour rights, which are protected by article 8(c) of the Covenant.

#### E. Suggestions and recommendations

E/C.12/1/Add.58  
page 5

27. The Committee reminds the HKSAR that the provisions of the Covenant constitute a legal obligation on the part of the States parties. Thus, the Committee urges the HKSAR not to argue in court proceedings that the Covenant is only "promotional" or "aspirational" in nature.
28. The Committee again urges the HKSAR to implement the Committee's suggestions and recommendations embodied in its concluding observations of 1996, as well as the current ones, and to undertake whatever relevant concrete measures may be necessary towards their implementation.
29. The Committee recommends that the HKSAR withdraw its reservation on article 6 and the interpretative declaration replacing its former reservation on article 8.
30. It is the Committee's view that the HKSAR's failure to prohibit race discrimination in the private sector constitutes a breach of its obligations under article 2 of the Covenant. The Committee calls upon the HKSAR to extend its prohibition of race discrimination into the private sector.
31. The Committee also urges the HKSAR to prohibit discrimination on the basis of sexual orientation and age.
32. The Committee urges the HKSAR to establish a national human rights institution consistent with the Paris principles (1991) and the Committee's General Comment No. 10. Until such an institution is established, the Committee urges the HKSAR to enhance its measures for the promotion of economic, social and cultural rights.
33. The Committee urges the HKSAR to provide the Women's Commission with sufficient powers and resources to improve the status of women in Hong Kong and to integrate gender in its policy-making and to ensure wider participation of women in all spheres of public life.
34. The Committee reiterates its recommendation that the HKSAR review its policy in relation to unfair dismissal, minimum wages, paid weekly rest time, rest breaks, maximum hours of work and overtime pay rates, with a view to bringing such policy into line with the HKSAR's obligations as set forth in the Covenant.
35. The Committee urges the HKSAR to enact legislation on equal pay for work of equal value as provided for in the Covenant.
36. The Committee urges the HKSAR to adopt a comprehensive pension system that provides adequate retirement protection for the entire population and in particular for housewives, self-employed persons, older persons and persons with disabilities.
37. The Committee recommends that the Public Order Ordinance be reviewed with a view to amending its provision to ensure freedom of trade union activities as provided for under article 8(c) of the Covenant.

E/C.12/1/Add.58  
page 6

38. The Committee strongly recommends that the HKSAR establish either an inter-departmental anti-poverty unit or an independent anti-poverty commission, to conduct relevant research, formulate anti-poverty strategies and monitor all policies for their impact on poverty.
39. The Committee urges the HKSAR to ensure that Comprehensive Social Security Assistance levels permit recipients a reasonable standard of living consistent with articles 9 and 11 of the Covenant.
40. When formulating and implementing its policies on permanent residence and split families, the HKSAR is urged to give the most careful attention to all the human rights dimensions of the issue, including articles 2(2), 3 and 10. The Committee reminds the HKSAR that any limitations in relation to article 10 must be justified in relation to each element set out in article 4. The Committee urges the HKSAR to reconsider extending the "concession" made by HKSAR following the NPC-SC's re-interpretation of 26 June 1999.
41. The HKSAR is urged to enhance the transparency of all relevant processes concerning permanent residence and split families, for example, the Committee recommends that all data, appropriately disaggregated (eg by origin of applicant), is made publicly available, and tabled in the Legislative Council, every six months.
42. The Committee calls upon the HKSAR to adopt urgent measures to address the problems leading to youth suicide and all forms of child abuse.
43. The Committee calls upon the HKSAR to amend its laws to raise the age of criminal responsibility so as to ensure the rights of the child under article 10 of the Covenant.
44. The Committee calls on the HKSAR to give urgent attention to the housing rights of all Hong Kong residents, including squatters and those living in roof-top structures and bedspace apartments or cage homes. In its next periodic report, the HKSAR is requested to give special attention to the impact of current policies on squatters, roof-top structures and bedspace apartments or cage homes. In particular, the Committee would like the HKSAR to comment on the operation and efficacy of the Bedspace Apartments Ordinance (Chapter 447).
45. The Committee recommends that the HKSAR undertake a comprehensive review of mental health policy and adopt effective measures to ensure that persons with mental illness enjoy the right to adequate and affordable health care. The Committee urges the HKSAR to provide public education to combat discrimination against persons with mental illness.
46. The Committee requests that the HKSAR disseminate these concluding observations as widely as possible among its citizens.
47. The Committee requests the HKSAR to address, in its second periodic report, the implementation of these concluding observations.
48. The Committee requests the HKSAR to submit information on its progress in implementing the Committee's recommendation in paragraph 30 (race discrimination) by 30 June 2003. The Committee requests the HKSAR to submit its full second periodic in accordance with the prescribed dates of submissions.

**Questions relating to the International Covenant on Economic,  
Social and Cultural Rights moved by Members at Council meetings  
since the first term of Legislative Council**

Meeting Date	Question
14 October 1998	Hon Christine LOH raised a written question on the reservations and declarations under the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the International Covenant on Civil and Political Rights (ICCPR).
2 December 1998	Hon LEUNG Yiu-chung raised an oral question on the progress in the submission of reports of the Hong Kong Special Administrative Region (HKSAR) under ICESCR and ICCPR.
31 March 1999	Hon LEUNG Yiu-chung raised a written question on the implementation of ICESCR in Hong Kong.
4 April 2001	Hon Cyd HO raised a written question on the removal of reservations made in respect of ICESCR.
25 April 2001	Hon Margaret NG raised an oral question on the Government's obligation under international human rights treaties to eradicate racial discrimination in Hong Kong and whether the Government had plans to introduce anti-racial discrimination legislation.
13 June 2001	Hon SZETO Wah raised an oral question on the establishment of a human rights institution as recommended in the Concluding Observations issued by the United National Committee on Economic, Social and Cultural Rights (UNCESCR) in May 2001.
13 June 2001	Hon LAU Chin-shek raised an oral question on the implementation of the recommendations made by UNCESCR in 1996 concerning employee benefits.
13 June 2001	Hon James TO raised an oral question on the implementation of recommendations made by UNCESCR in 1996 concerning prohibition of racial discrimination in the private sector and prohibition of discrimination on the basis on sexual orientation and age.

<b>Meeting Date</b>	<b>Question</b>
13 June 2001	Hon Martin LEE raised an oral question on the need to improve the current arrangements for the election of the Legislative Council as pointed out by UNCESCR in its Concluding Observations in 2001.
13 June 2001	Hon Michael MAK raised an oral question on the implementation of anti-poverty measures as recommended by UNCESCR in its Concluding Observations in 2001.
20 June 2001	Hon Audrey EU raised an oral question on the incorporation of provisions of ICESCR into laws of HKSAR.
20 June 2001	Hon James TO raised an oral question on how the Government would follow up the recommendations made by UNCESCR in its Concluding Observations in 2001 concerning policies on permanent residence and split families.
10 April 2002	Hon Cyd HO raised a written question on the Government's plan to legislate against racial discrimination in the private sector and among individuals
19 June 2002	Hon Emily LAU raised an oral question on legislation against acts of racial discrimination in the private sector.
20 November 2002	Hon Emily LAU raised a written question on the proposed establishment of a human rights commission.
2 June 2004	Hon Audrey EU raised an oral question on the legislative proposals for racial discrimination law as announced by the Government in June 2004
6 April 2005	Hon LEE Cheuk-yan raised an oral question on the implementation of ICESCR in Hong Kong