

香港兒童權利委員會
THE HONG KONG COMMITTEE ON CHILDREN'S RIGHTS

**Submission to the Home Affairs Panel of the Legislative Council in response to
the Official Replies of the HKSAR Government to the
CRC Concluding Observations in Annex B of document CB(2)1011/05-06(01)**

1. We appreciate the efforts made by the HKSAR government in helping to categorize the Concluding Observations and recommendations made by the UN Committee on the Rights of the Child under different areas of concern; and a very clear point-to-point response was made to reveal the position of the government.
2. Nevertheless, we noticed that numerous information provided was repetitive to the HKSAR Report earlier by describing its existing policies, services and practices. Those information has failed to provide the reasons why improvement could not be made in certain areas as recommended, as we deeply believe that striving for improvement in advancing the rights of children is the underlying meaning behind the whole CRC reporting mechanism.
3. The government remained its position at point 1 and 3 that a national legislation, policy, and a plan of actions are not necessary, even though the UN Committee has repeatedly criticized for its fragmented approach and lack of clear goals to the implementation of the CRC.
4. At point 4, the government remained its position that there was no need for a single monitoring system or a human rights institution with a specific mandate for children such as a Children's Commission, even though the UN Committee has expressed its regrets towards the government for ignoring their recommendation. The government delegation has told the LegCo Home Affairs Panel in its 20 July 2005 meeting and at the CRC Official Hearing in Geneva on 19 September 2005, as well as the 3-sided Children's Rights Forum meeting on 2 December 2005 that the government was reviewing the situation and no final decision was made. They also said that the government was studying if this body should be independent or to expand the existing Commission on Youth. The official reply to the Legislative Council now made us query its sincerity in the matters. Since a Children's Commission is a common goal for many child right counterparts, professionals as well as children in Hong Kong, we urge the government to tell us frankly if such an exercise has been going on? If it is going on, how it has been reviewed and what is

the timeline? If the government is going to consult the public in this matter that will affect 1.3 million children in Hong Kong?

5. The UN Committee recommended that the HKSAR government should systematically collect children's views in developing their policies or programmes affecting them. They further urged the government to consider establishing a standing body to represent children's views in the political process. We could not accept the explanation at point 9 that children's views were given due weight in schools and society by the fact that the Permanent Secretary for EMB often meets students to listen to their views during their school visits. For the existing Children's Rights Forum, while it could provide a new channel for some specific children's groups to voice out on their concern, the no. of representatives is limited and it is only convened quarterly by the Home Affairs Bureau. We urge the government to establish a recognized platform for the children where they could communicate with the government on a continuous basis.

6. It would be difficult to give a point-by-point response to the document that only available within such a short notice. But we would liaise with other child right counterparts and provide further and more comprehensive information to the government response in the near future.

Submitted by: The Hong Kong Committee on Children's Rights

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