

立法會
Legislative Council

LC Paper No. CB(2)/262206-07

Ref : CB2/PS/1/06

Panel on Home Affairs

Subcommittee on Human Rights Protection Mechanisms

**Minutes of meeting
held on Wednesday, 1 August 2007, at 10:00 am
in Conference Room B of the Legislative Council Building**

- Members present** : Hon Albert HO Chun-yan (Chairman)
Hon James TO Kun-sun
Hon Emily LAU Wai-hing, JP
- Member attending** : Hon TAM Heung-man
- Members absent** : Hon CHOY So-yuk, JP
Dr Hon Fernando CHEUNG Chiu-hung
- Clerk in attendance** : Miss Flora TAI
Chief Council Secretary (2)2
- Staff in attendance** : Mr Watson CHAN
Head (Research and Library Services Division)
- Mr CHAU Pak-kwan
Research Officer 5
- Ms Alice LEUNG
Senior Council Secretary (2)1
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Action

I. Proposed research outline on human rights commissions in selected places

[LC Paper No. CB(2)2570/06-07(01)]

The Subcommittee deliberated (index of proceedings attached at **Annex**).

2. Members noted that the Research and Library Services Division of the Legislative Council Secretariat had taken into account most of the comments given by Mr C Raj KUMAR and Hong Kong Human Rights Monitor in drawing up the proposed research outline on human rights commissions (HRCs) in selected places as set out in the paper [LC Paper No. CB(2)2570/06-07(01)].

H(RL) 3. On the proposed research outline, the Research and Library Services Division was requested to take note of the following suggestions -

- (a) in Part 3 - to provide background information on the setting up and development of HRCs in selected places;
- (b) in Part 3(b) - to provide figures on the financial and human resources of HRCs, if available;
- (c) in Part 4 - to include information on division of work and working relationship between HRCs and other human rights protection mechanisms in protecting and promoting human rights in the selected places, if available;
- (d) in Part 4(f) - to collate critical review and evaluation conducted, preferably with academics' reviews, if available, and to make reference to the Paris Principles in conducting a critical review and evaluation of HRCs;
- (e) in Part 5 - to compile comparison table(s) summarizing the various attributes of HRCs in the places studied with reference to the existing human rights protection mechanisms in Hong Kong; and
- (f) to include information of the relevant parts of the research on the monitoring mechanisms for the implementation of international human rights treaties in the United Kingdom, New Zealand and Canada conducted in 2004, if feasible.

4. Subject to these suggestions, the Subcommittee endorsed the proposed research outline. At the suggestion of Ms Emily LAU, members agreed that the proposed completion date of the research of November 2007 could be extended if more time was required for gathering and studying reference information. Members further agreed that the Subcommittee should hold an informal meeting to discuss the draft of the research report when available. The Clerk was asked to liaise with the Research and Library Services Division in arranging the informal

Clerk/H(RL)

Action

meeting.

II. Any other business

5. There being no other business, the meeting ended at 10:25 am.

Council Business Division 2
Legislative Council Secretariat
21 August 2007

**Proceedings of the meeting of Subcommittee on
Human Rights Protection Mechanisms
on Wednesday, 1 August 2007, at 10:00 am
in Conference Room B of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action required
000442 - 000515	Chairman Ms Emily LAU	Opening remarks	
000516 - 000825	H(RL)	Brief presentation of the proposed research outline as set out in LC Paper No. CB(2)2570/06-07(01).	
000826 - 001221	Ms Emily LAU H(RL) RO5	<p>Discussion on the scope of the proposed research compared to that of the previous research on the monitoring mechanisms for the implementation of international human rights treaties in the United Kingdom, New Zealand and Canada, which was conducted by the Research and Library Services Division in 2004.</p> <p>Ms Emily LAU's suggestion to include information of the relevant parts of the previous research on human rights commissions (HRCs) in the report of the proposed research, if feasible.</p>	H(RL) to take note (see para. 3(f) of the minutes)
001222 - 001408	Miss TAM Heung-man Chairman	<p>Ms TAM Heung-man's concern over the limited jurisdiction of the Equal Opportunity Commission (EOC) as an effective specialized institution to promote and protect human rights and her enquiry whether the role of EOC in human rights issues would be studied.</p> <p>The Chairman's clarification of the objective of the proposed research as agreed at the Subcommittee meeting held in June 2007.</p>	
001409 - 001736	Mr James TO Chairman H(RL)	<p>Discussion on the proposed research outline -</p> <ul style="list-style-type: none"> - Mr James TO's suggestion that the proposed research should cover whether existing human rights protection mechanisms in Hong Kong had also been established in the selected places where HRCs co-existed, and if yes, information on division of work and working relationship between HRCs and these mechanisms in protecting and promoting human rights in the selected places, in particular when handling complaints of alleged human rights violations. 	H(RL) to take note (see para. 3(c) of the minutes)

Time marker	Speaker	Subject(s)	Action required
		<ul style="list-style-type: none"> - H(RL)'s response that the issue would be studied and covered in Part 4(e) and (f). 	
001737 - 001842	Ms Emily LAU	Ms Emily LAU's request that comparison table(s) summarizing the various features of HRCs in the selected places with reference to the existing human rights protection mechanisms in Hong Kong be compiled.	H(RL) to take note (see para. 3(e) of the minutes)
001843 - 002503	Chairman H(RL) Ms Emily LAU	<p>Discussion on the research outline including the following suggestions -</p> <ul style="list-style-type: none"> - the Chairman's view that it was important to have a critical review and evaluation of HRC in the selected places and make reference to the Paris Principles in the process, and his suggestions on the reference information to be gathered for Part 3(b) on the financial and human resources and Part 4(f) on review and evaluation conducted; and - Ms Emily's LAU's suggestion on providing background information on the setting up and development of HRCs in Part 3. <p>Members' agreement to extend the proposed completion date of study if necessary, and to hold an informal meeting to discuss the draft of the research report prepared by the Research and Library Services Division when available.</p>	<p>H(RL) to take note (see para. 3(a), (b) and (d) of the minutes)</p> <p>Clerk to liaise with H(RL) in arranging an informal meeting (see para. 4 of the minutes)</p>