

**Legislative Council Panel on Home Affairs
Sub-committee on Human Rights Protection Mechanism**

**Administration's response to issues raised
at the meeting held on 28 April 2007**

At the last meeting held on 28 April 2007, Members asked the Administration to provide a written response on several issues raised during discussion. Specifically, the questions were –

- (a) whether there is any room for improvement in the existing human rights protection mechanisms; and if so, the areas for improvement;
- (b) whether documents relating to the Administration's review of the need for establishing an independent human rights commission in Hong Kong could be released; and
- (c) whether the legal aid services, the Equal Opportunities Commission (EOC), the Office of the Privacy Commissioner for Personal Data (OPCPD) and the Ombudsman as mentioned in paragraph 4 of the Administration's paper [LC Paper No. CB(2)1662/06-07(01)] could be in compliance with the Paris Principles in various areas such as competence, responsibilities, composition and method of operations; and if not, the reasons for that.

2. As regards (a), we confirm that, as stated in LC Paper No CB(2)1014/06-07(03) and as explained at the meeting of 28 April 2007, we already have an extensive mechanism for promotion and protection of human rights in Hong Kong. We therefore do not see an obvious need for change or to establish another human rights institution to supersede existing mechanism. However, we continue to be willing to listen to views.

3. As regards (b), we have conducted a search and would advise that the only document relating to the review in 2003 was contained in LC Paper No CB(2)1957/02-03(03) which was submitted to the Legislative Council Panel on Home Affairs in May 2003.

4. As regards (c), we reiterate our view, as explained to Members at the last meeting, that the recommendations under the Paris Principles are

not mandatory, nor do they create any binding obligation on the HKSAR Government at both the international and domestic level. We therefore do not propose to conduct a detailed comparison of our existing mechanism with those recommendations.

5. This information note is submitted for Members' reference at the coming meeting of the Sub-Committee to be held on 22 June 2007.

Home Affairs Bureau
June 2007