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Panel on Home Affairs

Subcommittee on Human Rights Protection Mechanisms

Work plan of the Subcommittee

Purpose

This paper informs the Panel on Home Affairs of the work plan for the Subcommittee on Human Rights Protection Mechanism (the Subcommittee) and the time frame for completion of work which have been endorsed by the Subcommittee by circulation.

The Subcommittee

2. When the Panel on Home Affairs examined the existing human rights protection mechanisms in Hong Kong at its meeting on 9 February 2007, some members were of the view that the existing mechanisms were far from satisfactory. They expressed disappointment at the Administration's repeated refusal of setting up a human rights commission in Hong Kong for the promotion and protection of human rights, despite the recommendations made by the United Nations Human Rights Committee and the United Nations Committee on Economic, Social and Cultural Rights respectively. The Panel decided to set up a subcommittee with the following terms of reference -

- (a) to monitor and examine the operation and effectiveness of existing institutional framework for promotion and protection of human rights in Hong Kong;
- (b) to examine possible means for enhancement of the effectiveness of the institutional framework of human rights promotion and protection in Hong Kong, including the setting up of a statutory Hong Kong Human Rights Commission; and

- (c) to monitor and examine the implementation of the Concluding Observations or Concluding Comments in respect of Hong Kong issued by United Nations human rights treaty bodies.

Subcommittee's work plan

3. The Subcommittee held its first meeting on 23 March 2007 to draw up a work plan.

4. The Subcommittee plans to focus its work on the following major areas in the coming 12 months:

(a) Existing human rights mechanisms in Hong Kong

The Subcommittee notes that a large majority of academics who have responded to the enquiries of the Research and Library Services Division of the Legislative Council Secretariat consider that the existing statutory bodies and institutions for the protection of human rights in Hong Kong are not in compliance with the Paris Principles. The Subcommittee will hold discussions with these academics and representatives of the Hong Kong Human Rights Monitor on their views in respect of the existing human rights mechanisms in Hong Kong. The Subcommittee will also discuss the Administration's responses to these views.

(b) Setting up of a human rights commission

The Subcommittee will pursue the issue of setting up a human rights commission for the protection and promotion of human rights and other means of enhancing the effectiveness of the existing human rights mechanisms in Hong Kong.

(c) Implementation of the recommendations made in the Concluding Observations or Concluding Comments issued by the relevant human rights treaty monitoring bodies

The Subcommittee will monitor the Administration's progress in implementing the recommendations made in the Concluding Observations or Concluding Comments issued by the respective treaty monitoring bodies of the following international human rights treaties -

- (i) International Covenant on Economic, Social and Cultural Rights;
- (ii) International Covenant on Civil and Political Rights;

- (iii) International Convention on the Elimination of All Forms of Racial Discrimination;
- (iv) Convention on the Elimination of All Forms of Discrimination against Women;
- (v) Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; and
- (vi) Convention on the Rights of the Child.

Time frame for completion of work

5. The Subcommittee will hold its next meeting on 28 April 2007 and will meet regularly thereafter until April 2008 in order to achieve the above objectives. The Subcommittee will present a report to the Panel on Home Affairs in June 2008.

Advice sought

6. Members are invited to note the work plan and the time frame for completion of work of the Subcommittee.

Council Business Division 2
Legislative Council Secretariat
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