

政制及內地事務局
政府總部

香港下亞厘畢道



CONSTITUTIONAL AND MAINLAND AFFAIRS BUREAU
GOVERNMENT SECRETARIAT

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HONG KONG

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2 September 2008

Secretary General
Legislative Council Secretariat
8 Jackson Road
Central
Hong Kong

Dear Sir,

**United Nations Human Rights Council
Universal Periodic Review
Section on the Hong Kong Special Administrative Region**

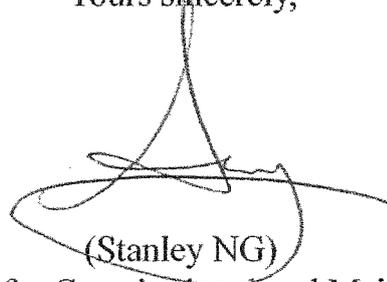
The Central People's Government will submit its report to the United Nations Human Rights Council for the Universal Periodic Review of the human rights situation of individual Member States. The Government of the Hong Kong Special Administrative Region (HKSAR) has been requested to provide a section for inclusion in China's report.

To facilitate preparation of the section of the HKSAR, we are seeking the views of the public on the section. We will consider the views received carefully.

Attach please find a copy of the consultation document and bilingual proposed outline for your record. In parallel, we are sending copies to relevant organisations and issuing a press release to invite public comments on the proposed outline. The consultation period will close on 13 September 2008.

The outline is also available on our website www.cmab.gov.hk.

Yours sincerely,

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

(Stanley NG)

for Secretary for Constitutional and Mainland Affairs

Encl.

Invitation of views from the public

United Nations Human Rights Council Universal Periodic Review Section of the Hong Kong Special Administrative Region

Background

The United Nations (UN) Human Rights Council (HRC) was created by the UN General Assembly Resolution 60/251 of 15 March 2006 to replace the UN Commission on Human Right. Among its primary responsibilities, it was charged with the responsibility to –

“undertake a universal periodic review, based on objective and reliable information, of the fulfilment by each State of its human rights obligations and commitments in a manner which ensures universality of coverage and equal treatment with respect to all States; the review shall be a cooperative mechanism, based on an interactive dialogue, with the full involvement of the country concerned and with consideration given to its capacity-building needs; such a mechanism shall complement and not duplicate the work of treaty bodies ...”.

Details about the universal periodic review (UPR) can be accessed at the following website:

<http://www.ohchr.org/EN/HRBodies/UPR/Pages/UPRmain.aspx>.

2. In pursuance of this mission, the HRC has decided to complete the first round of the UPR of all 192 Member States of the UN within four years from the beginning of 2008. The UPR on the People’s Republic of China is scheduled to take place in February 2009.

3. The specific objectives of the UPR are –

- (a) the improvement of the human rights situation on the ground;
- (b) the fulfillment of the State’s human rights obligations and commitments and assessment of positive developments and challenges faced by the State;
- (c) the enhancement of the State’s capacity and of technical assistance, in consultation with, and with the consent of, the State concerned;

- (d) the sharing of best practice among States and other stakeholders;
- (e) support for cooperation in the promotion and protection of human rights; and
- (f) the encouragement of full cooperation and engagement with the HRC, other human rights bodies and the Office of the UN High Commissioner for Human Rights (OHCHR).

4. Each State under review is required to provide relevant information setting out, among other things, the background of the country and the framework for promotion and protection of human rights, as well as its achievement and challenges in promotion and protection of human rights. Such information may be presented orally or through a written presentation which should not exceed 20 pages.

5. The Central People's Government plans to submit a written report and has requested the Government of the Hong Kong Special Administrative Region (HKSAR) to provide a section for inclusion in the report. In view of the constraint on the length of the national report, the section of the HKSAR would be around three pages.

Invitation of views from the public

6. This paper contains, at Annex, a proposed outline of the section of the HKSAR for inclusion in the report of the People's Republic of China. It is issued to invite views from the public on the topics and contents to be covered in the section of the HKSAR.

7. This paper is distributed to the public through the 18 District Offices of the Home Affairs Department and on the internet at the Constitutional and Mainland Affairs Bureau's web-site (<http://www.cmab.gov.hk>). Copies are also sent to relevant organisations.

8. We will consider carefully views received from this consultation exercise. Any persons or organisations wishing to offer views are invited to send them to the Constitutional and Mainland Affairs Bureau on or before 13 September 2008:

by post : Constitutional and Mainland Affairs Bureau
 Central Government Offices
 3/F., East Wing
 Lower Albert Road, Hong Kong

by fax: 2840-0657
by e-mail: cmabenq@cmab.gov.hk

Constitution and Mainland Affairs Bureau
2 September 2008

United Nations Human Rights Council
Universal Periodic Review
Outline of the section of the Hong Kong Special Administrative Region

Methodology and process of consultations

This section will describe the methodology and the broad consultation process followed for the preparation of information provided under the universal periodic review.

Background on Hong Kong and framework for the promotion and protection of human rights

2. This section will provide a general profile of Hong Kong. It will also describe the framework for the promotion and protection of human rights in Hong Kong, including constitution, legislation, policy measures, human rights infrastructure and scope of international obligations. This will include, among other things, the protection of human rights by the Basic Law and the Hong Kong Bill of Rights Ordinance, the anti-discrimination ordinances and the various institutions for the promotion and protection of human rights.

Measures for the promotion and protection of human rights

3. This section will outline the promotion and protection of human rights on the ground. This includes the implementation of relevant international conventions, activities of the human rights institutions, promotion of public awareness of human rights and work of relevant mechanisms. It will cover the human rights obligations under the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and other human rights treaties that are applicable to Hong Kong.

Achievements, challenges and initiatives

4. This section will identify the results achieved on promotion and protection of human rights as well as the challenges and constraints faced. It will also outline the initiatives and commitments to enhance the protection of human rights.