

Letterhead of HONG KONG CHRISTIAN INSTITUTE

Submission to Legco Panel on Home Affairs

**Re: UN Human Rights Committee's
Principal concerns and recommendations about
HKSAR's applications of the ICCPR**

By Rev. Kwok Nai Wang, Director
9th March, 2000

1. The UN Human Rights Committee has passed its judgement on Hong Kong's human rights conditions after due considerations of SAR government's 5th periodic report in November, 1999.
2. Legco should study its concluding observations and recommendations carefully and pressure the government to adopt all recommendations immediately.
3. Reasons:
 - a). All the recommendations point to the fact that safeguards of citizens' civil and political rights in Hong Kong are inadequate. Hence measures such as the setting up of an independent human rights commission (similar to ICAC, Equal Opportunities Commission etc.); and CAPO be made independent all the more important.
 - b). By not adopting the Committee's recommendations, HKSAR would fail to comply with important ICCPR provisions.
 - c). By following the Committee's recommendations, Hong Kong's image as an international city would be greatly enhanced.

4. I wish to point out, however, that there is one vital point which the Committee fails to observe. The committee was right to point out that existing Legco elections contravenes Articles 25(b) ("by universal and equal suffrage"). In reality, the full intent (in letter and spirit) of Article 25 does not only point to Legco elections; but also citizens' representatives in the whole government, i.e. Legco plus the Chief Executive. As such, Legco should urge the government to allow SAR citizens to elect the Chief Executive and all 60 legislators by universal and equal suffrage the soonest.
5. The UN Committee expressed concern about the impending legislation to suit Article 23 of the Basic Law. My opinion is that it is not necessary to introduce new legislation at all. Existing laws are adequate to prohibit all acts against the State.
6. In conformity with the ICCPR, Legco should amend immediately the Public Order Ordinance and the Society Ordinance.
7. Legco should enact new laws to outlaw all racial and sexual discriminations in the territory.