

**立法會**  
***Legislative Council***

LC Paper No. CB(2)2663/03-04

(These minutes have been  
seen by the Administration)

Ref : CB2/PL/HA

**Panel on Home Affairs**

**Minutes of meeting  
held on Friday, 14 May 2004 at 10:45 am  
in the Chamber of the Legislative Council Building**

- Members present** : Hon IP Kwok-him, JP (Chairman)  
Hon Cyd HO Sau-lan  
Hon Albert HO Chun-yan  
Hon NG Leung-sing, JP  
Hon James TO Kun-sun  
Hon Emily LAU Wai-hing, JP  
Hon CHOY So-yuk  
Hon Andrew CHENG Kar-foo  
Hon Henry WU King-cheong, BBS, JP  
Hon Tommy CHEUNG Yu-yan, JP  
Hon Albert CHAN Wai-yip  
Dr Hon LO Wing-lok, JP  
Hon WONG Sing-chi
- Members absent** : Hon MA Fung-kwok, JP (Deputy Chairman)  
Hon Andrew WONG Wang-fat, JP  
Hon WONG Yung-kan  
Hon Timothy FOK Tsun-ting, SBS, JP  
Dr Hon TANG Siu-tong, JP
- Public Officers attending** : Mr Stephen FISHER  
Deputy Secretary for Home Affairs (1)
- Mr John DEAN  
Principal Assistant Secretary for Home Affairs (4)
- Miss Leonora IP  
Assistant Secretary for Home Affairs (4)

**Attendance by invitation :** Equal Opportunities Commission

Mrs Patricia CHU  
Chairperson

Mr Ferrick CHU  
Chief Equal Opportunities Officer

Hong Kong Human Rights Commission

Mr TSOI Yiu-cheong  
Member

Hong Kong Human Rights Monitor

Mr LAW Yuk-kai  
Director

Hong Kong Bar Association

Mr Victor DAWES  
Barrister-at-Law

Civil Human Rights Front

Mr CHONG Yiu-kwong  
Human Rights Commission Task Force Convenor

Civil Rights for Sexual Diversity

Mr Roddy SHAW  
Representative

**Clerk in attendance :** Ms Joanne MAK  
Senior Council Secretary (2)2

**Staff in attendance :** Agenda item IV  
Mr Watson CHAN  
Head, Research and Library Services

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**I. Confirmation of minutes**

[LC Paper No. CB(2)2323/03-04]

The minutes of the last meeting held on 16 April 2004 were confirmed.

**II. Information paper(s) issued since the last meeting**

[LC Paper No. CB(2)2324/03-04(01) and (02)]

2. Members noted the following papers issued since the last meeting -

- (a) supplementary information on advisory and statutory bodies provided by the Administration (LC Paper No. CB(2)2253/03-04(01));
- (b) the report entitled "Implementation of international human rights treaties in Hong Kong : 2003" (LC Paper No. CB(2)2324/03-04(01));
- (c) progress report on Centre for Youth Development Project provided by the Administration (LC Paper No. CB(2)2324/03-04(02)); and
- (d) further information on the Human Rights Forum organised by the Home Affairs Bureau (HAB) (LC Paper No. CB(2)2336/03-04(01)).

**III. Items for discussion at the next meeting**

[Appendices I and II to LC Paper No. CB(2)2319/03-04]

3. The Chairman informed members that on 7 May 2004, the Administration had issued the outline of the topics that it proposed to address in the report on the Hong Kong Special Administrative Region (HKSAR) under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) for public consultation. The consultation period would end on 18 June 2004. Members agreed to discuss the report outline at the next regular meeting to be held at 10:45 am on Friday, 11 June 2004.

4. Members also agreed to discuss the report entitled "Implementation of international human rights treaties in Hong Kong : 2003" and the following human rights reports at the next meeting -

- (a) the second report of HKSAR of the People's Republic of China in the light of the International Covenant on Economic, Social and

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Cultural Rights (ICECSR) submitted to the United Nations (UN) as part of China's initial report in June 2003; and

- (b) the first report of HKSAR under the Convention on the Rights of the Child submitted to UN as part of China's second report in June 2003.

5. Members agreed to invite deputations to attend the next meeting to give views on the above reports/report outline, and to put an invitation for public views on the website of the Legislative Council (LegCo). The Panel would also write to the 18 District Councils to seek their views.

6. At the suggestion of Mr WONG Sing-chi, members agreed to discuss the progress report on the Centre for Youth Development project at the regular meeting to be held on 9 July 2004. Members also agreed to further discuss the review of advisory and statutory bodies at that meeting.

**IV. Discussion on research report entitled "Monitoring Mechanisms for the Implementation of International Human Rights Treaties in the United Kingdom, New Zealand and Canada"**  
[LC Paper No. CB(2)2316/03-04(01)]

7. The Chairman welcomed the representatives of the six deputations and the Administration to the meeting.

Equal Opportunities Commission  
[LC Paper No. CB(2)2263/03-04(01)]

8. Mrs Patricia CHU, Chairperson of the Equal Opportunities Commission (EOC), said that EOC had already provided a written submission on this item to the Panel. Mrs CHU said that EOC had the following comments/suggestions

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- (a) On the UN reporting mechanism, the Administration should consider publishing draft reports, instead of just the report outlines, for public consultation;
- (b) EOC welcomed the Administration's decision to provide to LegCo reports on annual overviews of developments relating to the various human rights treaties applicable to HKSAR; and
- (c) the remit and responsibilities of the proposed human rights commission (HRC) had to be construed very carefully, taking into account the current provisions and the possible jurisdictional overlap, the resource implications and the structure to ensure the

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various aspects of human rights could be properly catered for in a cost-effective manner. The Administration should consider setting up an independent HRC in Hong Kong as soon as possible through careful planning and wide public consultation.

Hong Kong Human Rights Commission  
[LC Paper No. CB(2)2299/03-04(01)]

9. Mr TSOI Yiu-cheong, member of the Hong Kong Human Rights Commission, said that they had provided a written submission to the Panel. Mr TSOI said that Hong Kong recently faced serious problems in the protection of freedom of speech, and the Administration had taken inadequate measures to protect human rights. Mr TSOI criticised HAB for failing to monitor whether the Government's policies and practices or any proposed legislation were consistent with the requirements of the human rights treaties. Mr TSOI said that the absence of an independent HRC had also caused problems in safeguarding human rights in Hong Kong.

10. Referring to paragraphs 9 to 11 of the Administration's paper, Mr TSOI Yiu-cheong expressed dissatisfaction that the Administration had failed to give a timetable for the establishment of a HRC. Mr TSOI reminded the Administration that the UN Committee on Economic, Social and Cultural Rights (UNESCR) and the UN Human Rights Committee (UNHRC) had repeatedly urged the then Hong Kong Government and now the HKSAR Government to set up a HRC. Mr TSOI urged the Administration to take active steps to establish a statutory HRC as soon as possible to act as an intermediary body which should be empowered to receive complaints, investigate, adjudicate, provide legal advice and grant legal assistance to aggrieved parties where necessary.

11. As regards the UN reporting mechanism, Mr TSOI Yiu-cheong said that the Hong Kong Human Rights Commission also considered that the Administration should publish draft reports, instead of just report outlines, for public consultation in order to enhance the effectiveness of the consultation exercises. On the implementation of the human rights treaties, Mr TSOI pointed out that the Administration had only relied on the Hong Kong Bill of Rights Ordinance (BORO) (Cap. 383) to give effect in local law to the provisions of the International Covenant on Civil and Political Rights (ICCPR) as applied to Hong Kong. However, the limitation of BORO was that it had binding effect only on the Government and public authorities but not private organisations. Mr TSOI added that in accordance with Article 39 of the Basic Law (BL), the HKSAR Government was obliged to implement the provisions of the ICCPR, the ICESCR and international labour conventions as applied to Hong Kong through legislation.

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Hong Kong Human Rights Monitor  
[LC Paper No. CB(2)2381/03-04(01)]

12. Mr LAW Yuk-kai, Director of Hong Kong Human Rights Monitor, said that the organisation had provided a written submission to the Panel. Mr LAW expressed disappointment at the lack of a timetable for the establishment of a HRC, and urged the Administration to set up an independent human rights institution or commission to implement the human rights guarantees in BL and BORO and to promote human rights. Mr LAW further said that due to resources and institutional limitations, HAB was unable to monitor and ensure that policies and practices of other bureaux were conducive to human rights protection. In fact, there had been instances of the Administration failing to investigate into alleged cases of torture.

13. On the human rights reporting process, Mr LAW Yuk-kai said that Hong Kong Human Rights Monitor also considered that the Administration should publish draft reports, instead of just report outlines, for public consultation. Mr LAW pointed out that it was difficult to give comments on report outlines which were too broad and general. Mr LAW further said that one important purpose of compiling the reports for submission to UN was to provide an opportunity for governments and the public to review their human rights protection and relevant policies in their jurisdictions in the light of the comments made by the treaty monitoring bodies. Mr LAW pointed out that the current practice of the Administration was, however, only to invite comments from the public on the outlines of topics to be addressed in the relevant human rights reports. Moreover, when the reports were discussed, there were no representatives from the policy bureaux concerned to attend the discussions. For example, there had been no representatives from the Security Bureau to attend previous discussions on reports prepared under CAT.

14. Mr LAW Yuk-kai welcomed the setting up of the Human Rights Forum to discuss human rights issues with non-governmental organisations (NGOs) and interested parties. Mr LAW suggested that the Administration could also appoint specialised officers to review whether the operations of policy bureaux and departments complied with principles for the protection of human rights. Mr LAW further suggested that the Administration should review existing public organisations, such as EOC, in respect of their composition and functions in the light of the Paris Principles. He said that these would facilitate the implementation of human rights treaties in Hong Kong.

Hong Kong Bar Association

15. Mr Victor DAWES, the representative of Hong Kong Bar Association (Bar Association), expressed appreciation of the detailed research report prepared for this meeting. Mr DAWES said that the stance of the Bar Association had been summarised in its previous written submission made to

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this Panel in May 2003 when the Panel discussed the same subject. Mr DAWES pointed out that in all the jurisdictions studied in the report, HRCs had either been established a number of years ago or was under consideration. Mr DAWES said that as pointed out in the previous written submission of the Bar Association, other countries in Asia, including the Republic of Korea, the Philippines, Indonesia, Sri Lanka, Malaysia and Thailand, had all established HRCs. Mr DAWES said that the Bar Association saw no cogent argument against the establishment of a HRC in Hong Kong, and the pressing need for it was further supported by the research report.

Civil Human Rights Front

16. Mr CHONG Yiu-kwong, Human Rights Commission Task Force Convenor, said that in order to enhance monitoring of the implementation of human rights treaties in HKSAR, Civil Human Rights Front considered that -

- (a) the Administration should establish a statutory high-level HRC as soon as possible;
- (b) the process of appointment of members to the proposed HRC should be transparent, open and fair;
- (c) residents of HKSAR should be given the right to lodge complaints direct to UN to seek redress; and
- (d) the Administration should take measures to promote active participation of the public in the pre-drafting consultation process of human rights reports, such as by launching wide publicity of the relevant conventions, issuing draft reports, instead of just the report outlines, for public consultation, and allowing sufficient time for such exercises.

17. Mr CHONG Yiu-kwong expressed dissatisfaction with the very short time allowed for public consultation on the outline of topics to be covered in the report on HKSAR under CAT, and with the lack of publicity on the Convention. Mr CHONG queried whether the consultation exercise could be a meaningful one against such a background. Mr CHONG also commented that the progress report on the implementation of international human rights in HKSAR recently issued by HAB was too short and brief and improvements should be made.

18. Mr CHONG Yiu-kwong said that the HKSAR Government was obliged to implement the provisions of the ICCPR, the ICESCR and international labour conventions as applied to Hong Kong through legislation, because only legislation could provide the best protection to human rights. Mr CHONG expressed strong dissatisfaction with the Administration's decision of

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postponing the public consultation on legislation against racial discrimination as announced on 12 May 2004. Mr CHONG said that the reason given by the Administration was that it was inappropriate to publish the proposals just a few months before the LegCo elections, as the Administration was worried that the issue would be politicised. Mr CHONG said that the reason given was unacceptable and the postponement would set a bad precedent. Mr CHONG considered that the proposals should not be postponed since they had wide community support as well as support from LegCo.

19. Mr CHONG Yiu-kwong added that in order to strengthen the framework within which human rights were protected, selection of the Chief Executive of HKSAR and election of all LegCo members by universal suffrage should be implemented as soon as possible.

## Civil Rights for Sexual Diversity

20. Mr Roddy SHAW, representative of Civil Rights for Sexual Diversity, urged the Government to provide a timetable for the establishment of a HRC in HKSAR as soon as possible. Mr SHAW pointed out that since 1995, the UNESCR and the UNHRC had on four occasions urged the then Hong Kong Government and now the HKSAR Government to set up a HRC. Mr SHAW said that although BORO guaranteed the right of Hong Kong residents to institute legal proceedings against infringement of human rights in certain areas, there remained the problem of the lack of an enforcement mechanism to monitor the protection of these rights and provide an effective redress system. Mr SHAW also pointed out that the existing three anti-discrimination laws did not cover discriminatory acts on the grounds of sexual orientation, age, race, religion, or participation in trade unions. As a result, residents in Hong Kong who were victims of such discriminatory acts could only take their cases to the courts, which was time consuming and resource intensive.

## Discussion

21. Referring to the Administration's conclusion that Hong Kong was not ready to take the steps necessary for the establishment of an institution that fully met the requirements of the Paris Principles, Ms Emily LAU sought the views of the representatives of deputations as to what interim measures could be taken to enhance monitoring of the implementation of human rights treaties and whether setting up a dedicated committee by LegCo for this purpose could be an option. Ms LAU also sought the representatives' views on the effectiveness of the Human Rights Forum in addressing human rights issues and on the deferral of the public consultation on legislation against racial discrimination.

22. Mr TSOI Yiu-cheong responded that LegCo should make clear its stance on the issue and exert pressure on the Administration to establish a HRC



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in Hong Kong. Mr TSOI suggested that consideration could be given to setting up a subcommittee under this Panel to monitor the implementation of human rights treaties in Hong Kong and to follow up the annual progress reports submitted by HAB. Mr TSOI hoped that the UN committees concerned would express its concern in stronger terms about the lack of progress made by the HKSAR Government in the establishment of a HRC.

23. As regards the Human Rights Forum, Mr TSOI Yiu-cheong said that it was questionable as to what the Forum could achieve. He further said that the Secretary for Home Affairs and other policy secretaries should attend its meetings, which should be open to the public so that anyone who was interested could attend.

24. Mr TSOI Yiu-cheong and Mr LAW Yuk-kai both considered that the Administration should not have used the excuse of politicisation to defer the public consultation on legislation against racial discrimination. Mr LAW said that the relevant legislative proposals had been long awaited and it was most disappointing that the public consultation would be postponed.

25. Mr LAW Yuk-kai proposed extending the ambit of EOC to include monitoring the implementation of human rights provisions as stipulated in BL and BORO. However, Mrs Patricia CHU said that there must be legislative support if EOC was to be given more power to handle complaint cases outside the scope of the three equal opportunities ordinances. Mrs CHU added that in the area of public education, instead of just promoting the three equal opportunities ordinances, EOC had also touched upon wider issues, such as promoting equal opportunities for people of different age, race, etc.

26. Mr Roddy SHAW suggested that consideration could be given to setting up an additional unit similar to the Race Relations Unit under HAB to act on complaints relating to discriminatory acts not covered under the existing three equal opportunities ordinances. Noting that the Human Rights Forum had only held two meetings since its establishment in October 2003, Mr SHAW said that the Forum should include representatives from more different human rights groups/NGOs, and its meeting agendas should cover a wider scope of human rights issues.

27. Ms Emily LAU further asked the representatives of the deputations whether the Human Rights Forum could be used as the basis for monitoring the implementation of human rights treaties in Hong Kong, if the improvements that they had suggested were made to the Forum. Ms LAU suggested that the Human Rights Forum should also discuss the progress report on the implementation of human rights treaties in HKSAR.

28. Mr CHONG Yiu-kwong said he welcomed the setting up of the Human Rights Forum to provide an avenue for channelling views on human rights to

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the Administration. However, it could not substitute a HRC. Mr CHONG pointed out that the Human Rights Forum had no fixed meeting schedule, so it was not known when the next meeting would be held. Moreover, participants had been given only short notice of some of the agenda items and therefore were unable to collect views in advance.

29. Mr CHONG Yiu-kwong further said that what the Administration could do now was to improve the existing framework e.g. enhancing transparency of the appointment process of members of the existing human rights bodies, such as EOC. Mr CHONG pointed out that the membership of EOC would expire very soon, but the Administration still had not announced the new membership and there was little transparency in the appointment process.

30. Mrs Patricia CHU shared the view that the Human Rights Forum could be improved by holding meetings on a regular basis, and issuing the agenda well in advance so that participants could collect information and views on the agenda items. Mrs CHU also suggested widening participation in the Forum and opening the meetings to members of the public, as participation in such activities could be a kind of public education.

31. Ms Cyd HO requested the Administration to explain why it considered that Hong Kong was not yet ready to take the steps necessary for the establishment of an institution that fully met the requirements of the Paris Principles. Referring to the Administration's paper, Ms HO expressed dissatisfaction that the Administration, instead of appreciating the good practices of the three countries covered in the research report, had remarked that those countries represented less than two percent of the 192 countries that had ratified some or all of the treaties. Ms HO asked whether the Administration wanted Hong Kong to wait until most of the 192 countries had established HRCs before it would consider doing so.

32. On the Human Rights Forum, Ms Cyd HO urged the Administration to make the improvements as suggested by the representatives, e.g. inviting representatives from more different groups and NGOs to attend meetings of the Forum. However, Ms HO pointed out that at the end of the day, there was no way to fully monitor the implementation of the human rights treaties unless a HRC was established in HKSAR. She added that the Administration should first enact further anti-discrimination legislation to provide a legal basis for whatever mechanisms formed to perform the relevant functions and responsibilities.

33. Deputy Secretary for Home Affairs (1) (DSHA(1)) responded that as set out in the Administration's paper, an institution purporting to be a national human rights institution should conform to the Paris Principles in order to secure international recognition as such an institution. The Paris Principles clarified the concept of a "national institution" by providing minimum

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standards for the status and role of a national HRC. DSHA(1) said that although HKSAR was not a sovereign state, the Administration respected and honoured the Paris Principles. DSHA(1) further briefed members on the key criteria of the Paris Principles, as set out in paragraph 9 of the paper. DSHA(1) explained that the first step for the establishment of a HRC was to have the necessary legislation in place incorporating the provisions of all the human rights treaties as applicable to Hong Kong. In this connection, enactment of legislation against racial discrimination would be an important step forward. DSHA(1) informed members that the Administration was also planning to conduct an opinion survey to collect views on the need for prohibiting discriminations on the grounds of sexual orientation through legislation after the anti-racial discrimination legislation had been enacted.

34. DSHA(1) said that EOC conformed quite closely to the requirements in respect of independence, autonomy, pluralism, powers of investigation, resources, and the initiation of legal action, which were amongst the key criteria of the Paris Principles. However, its mandate was restricted to the scope of the existing equal opportunities ordinances and did not extend to other human rights. DSHA(1) further said that other than EOC, the Ombudsman and the Office of the Privacy Commissioner for Personal Data (PCO) were also statutory bodies formed to investigate and report on grievances relating to human rights protection. DSHA(1) added that in addition to working on the anti-racial discrimination legislation, the Administration might consider taking other long-term measures, such as examining the possibility of amalgamating the above three statutory bodies to form a HRC.

35. In response to the comments of the Bar Association, DSHA(1) said that the mere establishment of a HRC in a country gave no guarantee to its human rights standards, if there was no legislative and resources support for human rights protection work in that country. DSHA(1) pointed out that human rights standards in HKSAR were quite high and well protected, as the Administration had put in much effort in this area of work. DSHA(1) said that the Administration would also consider the suggestion of establishing an additional unit similar to the Race Relations Unit to act on complaints relating to discriminatory acts outside the scope of the three equal opportunities ordinances if resources permitted.

36. In response to the comments on the Human Rights Forum, DSHA(1) said that the Forum had held only two meetings since its establishment and the Administration was still seeking improvements in the light of experience gained. DSHA(1) said that any interested persons who would like to attend meetings of the Forum were welcome to provide their contact details to the Administration so that invitations could be extended to them. DSHA(1) said that participants of the Forum were also welcome to suggest any agenda items for discussion. DSHA(1) further said that the Human Rights Forum had taken active steps to follow up issues discussed by it. For example, it would convene

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a joint meeting with an ethnic minority forum and the Committee on the Promotion of Racial Harmony to discuss education problems met by ethnic minority children. Representatives from the Education and Manpower Bureau would also attend the meeting.

37. Mr NG Leung-sing said that as pointed out in the research report, the establishment of a HRC was still under consideration in the United Kingdom (UK). Mr NG queried whether there was really a pressing need for the establishment of a HRC in Hong Kong and requested information on any adverse impact caused to the livelihood of Hong Kong people and the economic development as a result of not establishing a HRC in Hong Kong. Mr NG suggested that the Administration should provide information on the resources spent on human rights protection work, the resource implications for the establishment of a HRC and an assessment on its cost-effectiveness. In response, DSHA(1) said that based on previous surveys conducted by the Administration, the amount of resources spent by the HKSAR Government on human rights protection was no less than that of many overseas countries, such as UK and New Zealand. DSHA(1) further agreed to consider providing information, such as a comparison between the resources devoted to such work in HKSAR and those in overseas places as well as the international ranking of HKSAR in terms of human rights protection, in the next progress report on the implementation of international human rights in HKSAR.

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38. Mr NG Leung-sing said that paragraphs 7 and 8 of the EOC's submission were contradictory and sought clarification from EOC's representatives. Mrs Patricia CHU said that there was no contradiction between the two paragraphs. She explained that EOC had the responsibility to point out what the Administration would have to consider in planning for the establishment of a HRC. EOC also hoped that the Administration should start the planning and conduct a public consultation as soon as possible.

39. Ms Emily LAU called on the Administration to conduct a public consultation on the establishment of a HRC as soon as possible. She also suggested that the Administration should make available the relevant information, such as the amount of resources spent by Administration in its work on human rights, to the public for consideration. Ms LAU requested the Administration to brief members on the work of the Race Relations Unit and the number of complaints it had handled.

40. DSHA(1) responded that the Race Relations Unit conducted activities for the promotion of racial harmony and received complaints relating to racial discrimination. It also maintained liaison with ethnic minority representatives through the ethnic minority forum. DSHA(1) said that the Race Relations Unit also conducted investigations into the complaints and he briefed members on an example of the complaints received. DSHA(1) agreed to provide information on the number of complaints handled by the Race Relations Unit

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for members' reference.

41. Mr Albert HO asked Mr LAW Yuk-kai and the Administration whether they agreed that there were strong justifications for HKSAR to adhere to the Paris Principles. DSHA(1) said that the Administration agreed that it should comply with the Paris Principles, even though the Paris Principles should only be applicable at the national level as he had earlier explained. Mr LAW Yuk-kai said that Hong Kong as a special administrative region was responsible for handling human rights issues in the region, and a good way to protect human rights was to establish a statutory HRC.

42. Mr Albert HO strongly requested the Administration to improve its current practice of only providing an outline of the topics to be covered in a human rights report, instead of the draft report, for public consultation. Mr HO suggested that the Human Rights Forum in future should follow up the drafting process and ensure that the reports incorporated the diverse views and concerns expressed by NGOs.

43. DSHA(1) responded that after issuing the report outline, the Administration would take into consideration the views and comments received in preparing the reports and it was also willing to address these views and comments in the report. In addition, the Administration would send every submission received to the secretariats of the UN committees concerned to ensure that the committee had access to the full original texts.

44. Mr Albert HO further asked whether the Administration would consider setting out in its reports the different views and concerns raised by NGOs as well as the Administration's response to the major concerns raised. DSHA(1) responded that in preparing reports for submission to UN, the Administration had been trying to address concerns raised by NGOs as far as possible. However, it could not guarantee that it could address every comment received. Hence, the Administration would also send every submission received to the secretariats of the UN committees concerned.

45. Dr LO Wing-lok considered that an important function of a HRC was to monitor Government's policies to ensure that they conformed to provisions of the human rights treaties. Dr LO asked the Administration what mechanisms were in place at present to perform this important function. DSHA(1) responded that such mechanisms included the submission of periodic reports to UN, and the submission of annual progress reports on the implementation of human rights treaties in HKSAR to LegCo. In addition, LegCo, the media, NGOs, and statutory bodies such as EOC, PCO and the Ombudsman, all played a vital role in monitoring Government's policies. Furthermore, HAB played a co-ordinating role to enable the Administration to make a coherent assessment of the way in which human rights were implemented in practice. DSHA(1) further said that the Administration did not consider that the establishment of

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an independent HRC was the only way to protect human rights in Hong Kong. However, the Administration was already working towards that direction.

46. Dr LO Wing-lok suggested that other than establishing an independent HRC, the Administration could first review the existing structure to work out the positioning of a HRC.

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47. The Chairman requested the Administration to take note of the views and comments expressed at this meeting and the suggestion of conducting a public consultation on the establishment of a HRC in Hong Kong.

**V. Any other business**

48. The Chairman said that he had received a letter from Miss CHOY So-yuk requesting the Panel to convene a joint meeting with the Panel on Health Services to discuss the subject of euthanasia. The Chairman proposed and members agreed that instead of convening a joint meeting, the Panel on Health Services would be requested to consider discussing the subject and to invite members of this Panel to join the discussion if a meeting for discussion of the subject was scheduled.

Clerk

49. The meeting ended at 1:00 pm.

Council Business Division 2  
Legislative Council Secretariat  
10 June 2004