

**For discussion
on 21 November 2011**

Legislative Council Panel on Constitutional Affairs

**Third Report of the Hong Kong Special Administrative Region
in the light of
the International Covenant on Civil and Political Rights**

Purpose

This paper invites Members' attention to the Third Report of the Hong Kong Special Administrative Region (HKSAR) in the light of the International Covenant on Civil and Political Rights (ICCPR).

Background

2. We consulted the Panel on the outline of the Report at its meeting on 21 June 2010. In drafting the Report, we have taken into account the comments and views received from Members and the community during the public consultation on the proposed outline of the Report from June to July 2010. The Report has been submitted to the United Nations (UN).

3. In accordance with the established practice, we have published the Report locally and distributed it to the public as well as interested non-government organisations and stakeholders. Copies of the same were sent to Members on 23 September 2011. The Report is also available on the website of the Constitutional and Mainland Affairs Bureau.

The Report

4. The Report was prepared in accordance with the "harmonized guidelines on reporting under the international human rights treaties" issued by the UN. It consists of two parts:

- (a) the **treaty-specific document on the ICCPR** , which, following the outline of the Report, responds to the concluding observations of the previous hearing of the UN Human Rights Committee held in March 2006, and updates the position in respect of the articles of the ICCPR. The major issues addressed in the Report include progress and development of democracy (Article 1), non-discrimination (Articles 2-3); right to life and freedom from torture and slavery (Articles 6-8); liberty and security of person (Articles 9-11); procedural fairness in law (Articles 14-16), civil rights and freedoms of the individual (Articles 12, 13, 17-24), right to participation in public life (Article 25), and equality and ethnic minorities (Articles 26-27); and

- (b) the **Common Core Document**, which provides general factual and statistical information of the HKSAR, and explains the legal framework within which human rights are protected, including the rule of law maintained by an independent Judiciary, the relevant provisions guaranteeing human rights in the Basic Law, the other legal instruments in the local legislation, legal aid services, various statutory bodies concerned and relevant mechanisms for handling complaints and investigations; as well as information and publicity activities to promote public awareness of human rights.

UN Hearing

5. In line with the established practice, the Report will be examined by the UN Human Rights Committee in a future hearing, the date of which has yet to be fixed.

Constitutional and Mainland Affairs Bureau
November 2011