

Legco Panel on Constitutional Affairs
Hearing of the UN Human Rights Committee on the
Fourth Report of the HKSAR in the Light of the ICCPR
(16 November 2020)

Remarks by Dr Lam Ho-yi,
Honorable Chairman of BPA Social Service

On behalf of BPA Social Service, I would like to share my views on the Fourth Report of the HKSAR in the light of the International Covenant on Civil and Political Rights (ICCPR). While it is the Government's duty to offer clarification on the so-called "list of issues" raised by the UN Human Rights Committee, the response from the Committee shows that it does not fully grasp the whole of picture of Hong Kong. Therefore, I am here to provide more information for the Government and the Committee's reference.

First of all, the Committee questioned whether the interpretations of the Basic Law by the Standing Committee of the National People's Congress undermine the obligations of Hong Kong under the ICCPR. This wholly neglects the constitutional status of the HKSAR as an inseparable entity of the People's Republic of China. The NPC is the highest organ of state power, and its decisions have the highest legal effect. The NPCSC's power of interpretations of the Basic Law is absolute and recognized by the local judiciary. The opposition camp should stop firing ungrounded accusations to achieve their political goal of defaming China.

In particular, the Committee targeted the joint checkpoint arrangement of the Guangzhou-Shenzhen-Hong Kong Express Rail Link. In fact, the link has served as an important social and economic bridge between Hong Kong and the Mainland, which can only broaden but not narrow the rights of Hong Kong citizens. President Xi Jinping and the Central Government have always been pursuing a harmonious society. Rather it is the opposition camp that hinders the rights of local citizens by disrupting normal communication between Hong Kong and the Mainland.

Regarding the National Security Law, I am here to sincerely request the Committee not to turn a blind eye to the violence and chaos in the past year. Hasn't the Committee realized that without the adoption of the Law, social violence would prevail in our beloved city that Hong Kongers would all lose their basic human rights to live peacefully? Why didn't the Committee talk about online vigilantism that infringed the privacy of law enforcement officers, which clearly violates Article 17 of the ICCPR?

The attitude of the Committee somehow gives the impression that the work of the UN may be manipulated by rioters and their political sympathizers.

As such, the Government should tell the truth to the global community and safeguard the real interest of Hong Kong.

As Martin Luther King said more than 50 years ago, "I have a dream that my four little children will one day live in a nation where they will not be judged by the color of their skin". I also have a dream that my children can live in a city where they will not be physically attacked simply because of their political viewpoint. We are one people, and living together harmoniously is the virtue of any civil and political rights. This is the voice of the silent majority of Hong Kong! Thank you.

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