



透過聯合國普遍定期審議機制於香港推動人權
Advancing human rights in Hong Kong through
the UN Universal Periodic Review process

香港普遍定期審議聯盟督導委員會
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Hong Kong UPR Coalition: Speech for Panel on Constitutional Affairs – United Nations Universal Periodic Review

15 April 2019

My name is Simon Henderson and I am spokesperson for the Hong Kong UPR Coalition. The Coalition was founded in 2017 to help facilitate civil society for the UPR, work collaboratively with government, LegCo and the international community. We continue with those goals.

The Coalition has been at the centre of engagement for the UPR, holding over 200 meetings, workshops, several submissions to the UN, LegCo and other bodies, developing 24 fact sheets, and much more. We have met with various representatives from CMAB, including Secretary Nip.

When I last spoke to the panel on 30 April 2018, we advised that the third cycle would be different. I am pleased to speak here following 12 countries using the UPR for the first time to specifically raise Hong Kong. This included 6 recommendations.

The amount of attention reflects growing concern from the international community about the human rights environment in Hong Kong. It is a signal that the government needs to act.

The Coalition believes in constructive engagement rather than just criticism, which is why we have the following proposals in response to the UPR:

- firstly, a cross-sector UPR advisory group with civil society and government representatives to monitor and implement the recommendations;
- secondly, a database of human rights treaty body and UPR recommendations to improve the accountability of responses to UN human rights mechanisms; and
- thirdly, reforms to improve treaty body and UPR consultation methods, including making all draft reports available for public consultation.

On 2 April we provided a proposed terms of reference for the advisory group to the government, while on 9 April, a draft version of the human rights database was provided. We call on the administration to genuinely engage with civil society to help implement these proposals.

There will be actions required to implement the UPR recommendations. For example, Croatia's recommendation on legislating domestically to implement the Convention



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on the Rights of the Child. A first step could be supporting a legislative gaps analysis to determine which laws require amendments to be consistent with the Convention.

Each LegCo member has a crucial role to play in the UPR, translating recommendations into policies and laws. LegCo members can:

- support a human rights database of treaty body and UPR recommendations;
- help drive accountability for implementation of the recommendations; and
- seek briefings from the Coalition and other civil society organisations.

However, the Coalition has some concerns with the administration's paper, which we wish to bring to the panel's attention. Unfortunately, the paper was only provided after submissions to this panel were due, so we need to address these now.

The Coalition is disappointed in and rejects the statement in Annex F from the administration's paper that three recommendations, those from Australia, France and Philippines have, quote, 'already been implemented'. If the recommendations were 'already implemented', foreign governments would not have made them, nor would civil society have advocated for so hard and so long otherwise.

Additionally, Annex F states that the recommendations from Canada and Croatia are, quote, 'being implemented'. This suggests that the government believes that no action is required. Such a response indicates a lack of interest to develop interactive, collaborative and innovative policy and legislative initiatives, as the Chief Executive called for in her Policy Address last year.

The UPR is as an opportunity and test for the government to show whether they are dedicated to being 'Asia's World City' and can work constructively with civil society and the international community.

The Coalition stands ready to work with this panel, LegCo members, the government and international community to assist in implementing these recommendations. Thank you.