

Justice Centre Hong Kong facilitates the engagement of the Hong Kong UPR Coalition ('the Coalition') in the Universal Periodic Review process and is part of the Steering Committee that guides the process. My colleague Simon Henderson has spoken about this on behalf of the Coalition and the Coalition's joint submission has been provided to the Panel for the meeting today.

I wish to draw the Panel and the Administration's attention to specifically the recommendations made by Croatia, the Philippines, and Indonesia during the 3<sup>rd</sup> Cycle of the Universal Periodic Review, to discuss children's rights and migrant domestic worker rights.

Croatia has recommended that Hong Kong internally legislate to implement the Convention on the Rights of Child (the "**CRC**"), and this recommendation has been accepted. The CRC came into force in Hong Kong in 1994, however there remain substantive gaps in Hong Kong's legislative framework.

For example, Article 3 of the CRC which requires consideration of the best interests of the child in all statutory and administrative decision-making, and Article 12 to ensure the views of children are expressed and heard, have yet to be given legal effect.

As such, we welcome this acceptance, and encourage the Administration to work with civil society in implementing this recommendation.

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The recommendations from the Philippines and Indonesia relate to migrant domestic workers in Hong Kong. We are pleased that the recommendation from The Philippines on enhancing the monitoring of the Standard Employment Contract for migrant domestic workers has been accepted.

However, of concern is that Indonesia's recommendation, that China, including Hong Kong and Macao, should consider ratifying the International Covenant on the Protection of the Rights of All Migrant Workers and Members of Their Families, was only noted. Justice Centre urges the government to provide details on why the recommendation was not accepted, including the specific articles on which the government has reservations about.

Forced labour and trafficking exists in Hong Kong. "Coming Clean", a report published by Justice Centre Hong Kong in 2016, found that 17% of migrant domestic workers in Hong Kong are subject to forced labour. This is further aggravated by the finding that 1 in 7 migrant domestic workers in Hong Kong have been trafficked into Hong Kong for the purpose of forced labour.

Lastly, Justice Centre Hong Kong also expresses its support to the three key proposals put forward by the Hong Kong UPR Coalition. We urge the government to establish:

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- A cross-sector UPR advisory group to monitor and implement the recommendations;
- A human rights database of treaty body and UPR recommendations, following meaningful consultation with civil society; and
- Institutional reforms to the treaty body and UPR consultation processes, including providing in advance all draft reports for civil society consultation

We welcome dialogue with Administration and Legislative Council members on these matters, and urge constructive and genuine dialogue with civil society.

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