



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
香港九龍通州街500號星滙居L1
Hong Kong UPR Coalition Steering Committee
c/o Justice Centre Hong Kong
L1, The Sparkle, 500 Tung Chau Street, Kowloon, Hong Kong

NEWS RELEASE

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COALITION WELCOMES ACCEPTANCE OF UPR RECOMMENDATIONS ON HONG KONG AT UNITED NATIONS, NOW IS TIME FOR ACTION

HONG KONG – The Coalition has welcomed acceptance of five out of six recommendations from the third cycle United Nations Universal Periodic Review (UPR) process on Hong Kong, which was formally announced at a plenary meeting of the Human Rights Council today.

The Coalition is now calling upon the Hong Kong government to work with civil society to implement the recommendations. Simon Henderson, spokesperson for the Hong Kong UPR Coalition and Senior Policy Advisor at Justice Centre Hong Kong, said that the response was significant:

“In a first and unprecedented step, 12 countries used the UPR process to highlight concerns with the deteriorating human rights environment in Hong Kong. This was recognition that the declining human rights environment has harmed our international reputation.”

“With five out of the six recommendations accepted, the Hong Kong government has made a commitment to address international concerns by implementing changes to law and policy. This is a positive and welcome step.”

However, the Coalition strongly rejects China’s assertion that no changes are required, with the five recommendations on Hong Kong having already been implemented.

“Any suggestion that the recommendations have ‘already been implemented’ is to [use the words](#) of Chief Secretary Cheung at the UPR hearing last year, simply ‘unwarranted, unfounded and unsubstantiated’. Foreign governments would not have made the recommendations otherwise. Let alone, would civil society have advocated for so hard and so long if human rights concerns were just a misunderstanding,” said Mr Henderson.

Further, the Coalition has expressed concerns with the decision not to accept the recommendation from Indonesia on the ratification of migrant workers convention. In the second UPR cycle, China accepted similar recommendations. For the third cycle, the difference was the reference to Hong Kong.

“The decision not to accept Indonesia’s recommendation can be attributed to the Hong Kong government. This outcome questions commitments to instituting reforms which would help protect and promote the rights of migrant domestic workers,” Mr Henderson added.

The UPR process has demonstrated to the Coalition that the ‘established practice’ of consultation and civil society engagement is not working. In response, the Coalition is calling on the government to establish the following measures:

- a cross-sector UPR advisory group to monitor and implement the recommendations;

- a database of treaty body and UPR recommendations, following meaningful consultation with civil society;
- reforms to the treaty body and UPR consultation processes, including:
 - o all draft reports should be provided in advance for civil society consultation;
 - o development of an institutionally separate mechanism in government for coordination, report writing and consultation; and
 - o reforms to the range of consultation options and increasing access to persons with a disability.

“Acceptance of the recommendations is positive, but the next step for the government is to take necessary actions to meaningfully ‘connect’ with civil society and implement the Coalition’s proposed measures. Business as usual will not work.”

“The declining human rights environment has clearly harmed Hong Kong’s international reputation. The government’s response to the UPR outcomes provides an opportunity to change course and show that they are truly committed to protecting core values,” Mr Henderson added.

While the plenary outcomes were mostly positive, the Coalition was disappointed with the Chief Secretary’s [failure to respond](#) in the meeting to outstanding statements and questions in advance. On 4 February 2019, the Coalition [sent an open letter](#) to the Constitutional and Mainland Affairs Bureau outlining our concerns. Mr Henderson added:

“The Administration has had ample opportunities to directly answer the statements from Ireland and the United Kingdom, as well as questions in advance from the United States, the Netherlands, Switzerland and Germany. The continued failure to answer is at odds with commitments to transparency and cooperation with the international community.”

“We urge the Hong Kong government to engage constructively with civil society and the international community in following up on the UPR outcomes,” Mr. Henderson concluded.

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Media Contact:

Cameron Sutherland
Communications Fellow
communications@justicecentre.org.hk / 3109 7359

or

Simon Henderson
Senior Policy Advisor
simon@justicecentre.org.hk / 6588 3804

Coalition members are also available for comment.

Hong Kong UPR Coalition materials are available at: www.justicecentre.org.hk/policy-advocacy/universal-periodic-review/.

About Hong Kong UPR Coalition

The Hong Kong UPR Coalition represents the collaborative efforts of different civil society groups to advance human rights in Hong Kong through the United Nations Universal Periodic Review (UPR) process. Founded in 2017 for the third cycle of the UPR process, the Coalition is facilitated by Justice Centre Hong Kong and comprises a wide variety of non-governmental organisations. It is directed by the Hong Kong UPR Coalition Steering Committee, which consists of nine members, namely Civil Human Rights Front, Disabilities CV, The Hong Kong Society for Asylum-Seekers and Refugees, Hong

Kong Watch, Justice Centre Hong Kong, Les Corner Empowerment Association, PEN Hong Kong, Pink Alliance and Planet Ally.

About Universal Periodic Review

The Universal Periodic Review (UPR) is a unique mechanism of the United Nations Human Rights Council aimed at improving the human rights situation on the ground of each of the 193 United Nation member states. It is the first international human rights mechanism to address all countries and all human rights. The UPR is a peer review process, and it complements the work of various United Nations treaty bodies.

Attachment A: List of recommendations issued at the China UPR hearing and responses

Country	Recommendation	Response
Australia 澳大利亞	Upholds the rule of law and rights embodied in the One Country, Two Systems framework for Hong Kong. 維護香港法治，以及「一國兩制」框架下的人權。	Accepted 接受
Canada 加拿大	Ensures the right of Hong Kong people to take part in government, without distinction of any kind. 確保香港人參與政府的權利不受差別待遇。	Accepted 接受
Croatia 克羅地亞	That Hong Kong internally legislates to implement the Convention on the Rights of the Child. 建議香港本地立法使《兒童權利公約》於本地實行。	Accepted 接受
France 法國	Guarantee freedom of speech, assembly and association, including in Hong Kong, and remove restrictions on freedom of information on the internet, in particular for human rights defenders. 確保包括在香港在內的言論、集會及結社自由，尤其是針對人權捍衛者，以及確保網上的資訊自由不受限制。	Accepted 接受
Indonesia 印度尼西亞	Encourage China, including Hong Kong and Macao Special Administrative Regions, to consider ratifying the International Covenant on the Protection of the Rights of All Migrant Workers and Members of Their Families in respect to Hong Kong and Macau. 鼓勵中國，包括香港及澳門特別行政區，考慮在香港及澳門批准(ratify)《保護所有移徙工人及其家庭成員權利國際公約》。	Not accepted 拒絕
Philippines 菲律賓	Enhance the monitoring of the Standard Employment Contract for migrant domestic workers in Hong Kong. 加強香港移民家務工的《標準僱傭合約》的監察。	Accepted 接受