



International Covenant on Civil and Political Rights

Distr.: General
18 March 2013

Original: English

Human Rights Committee

107th session

Summary record of the 2955th meeting

Held at the Palais Wilson, Geneva, on Wednesday, 13 March 2013, at 10 a.m.

Chairperson: Sir Nigel Rodley

Contents

Consideration of reports submitted by States parties under article 40 of the Covenant
(*continued*)

Third periodic report of Hong Kong, China (continued)

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The meeting was called to order at 10 a.m.

Consideration of reports submitted by States parties under article 40 of the Covenant
(continued)

Third periodic report of Hong Kong, China (continued) (CCPR/C/CHN-HKG/3)

1. *At the invitation of the Chairperson, the delegation of Hong Kong, China, took places at the Committee table.*

2. **Mr. Poon** Ying-kwong Frank (Hong Kong, China) said that withdrawing the reservation of Hong Kong, China, with respect to article 25 (b) of the Covenant would result in legal challenges being brought against the existing electoral system, which would undermine current efforts to implement universal suffrage in a gradual and orderly manner consistent with the Basic Law. The Government therefore had no intention at that stage of altering its position with regard to the reservation, although it respected the Committee's views on the matter.

3. Foreign domestic workers were admitted to Hong Kong, China, under a specific labour importation scheme, whereby they were obliged to live in the household of their employers and could change jobs only with the permission of the Director of Immigration. Under the Immigration Law, foreign domestic workers, like consular and military personnel brought in for specific purposes, did not have "ordinary" residence status in the meaning of the Basic Law. That was currently being challenged before the Court of Final Appeal, which was due to deliver its judgement on the matter in the near future.

4. The Government of Hong Kong, China, would review the definition of treason and sedition contained in article 23 of the Basic Law, as called for by the Committee, but there was no timetable for doing so as yet. The offence of torture was specified in the corresponding Crime Ordinance in compliance with article 4 of the Convention against Torture. Proof of intention to inflict severe pain or suffering was required in line with article 1 of the Convention. The provisions of the ordinance were of broader application than said article 1 since they covered acts of torture committed for any purpose. They also allowed for the defensible use of force or infliction of pain, such as in the provision of medical treatment. The Court of Hong Kong applied its jurisprudence on proportionality to assess each case on an individual basis.

5. With regard to the invocation of the Covenant or the Committee's general comments, in the three instances cited in the replies to the list of issues (document without a symbol) involving complaints of breaches of the Bill of Rights, the Court had ruled against the Government in each one. Under the Bill of Rights Ordinance, in such cases, the Court could order remedies, including the amendment or repeal of offending legislation, as mentioned in paragraph 2.5 of the replies to the list of issues, the enactment of new laws or the provision of relief to the affected persons. Such action had indeed been taken.

6. **Ms. Chang** King-yiu (Hong Kong, China) said that the Social Welfare Department had set up a central information system on spouse/cohabitant battering and sexual violence that compiled the data reported by the police, hospitals and social workers. It provided disaggregated statistics on cases involving ethnic minorities, women with disabilities and sexual minorities, but not on those involving migrant workers or sex workers. The number of cases was calculated on the basis of the individual families or persons involved, not the number of incidents reported, which explained the discrepancy between the Department's figures and those of other bodies, such as the police.

7. Social workers were trained to pay special attention to ethnic minorities, Filipinos with family disputes and same-sex partners. The Department organized annual campaigns

to combat domestic violence that used various media and activities to raise awareness of the issue.

8. **Mr. Hodson** (Hong Kong, China) said that the Government rejected the claim that body searches of persons in custody were common. Since 2008, clear guidelines, outlining three levels of body searches (without removal of clothing, with removal of clothing and with removal of underwear) had been applied in the police force. The police had a duty of care, and body searches were necessary to ensure those in custody did not harm themselves or others. Searches involving the removal of clothing were usually conducted on those held in association with drug-related offences. Several measures were in place to ensure the privacy and dignity of the person, and statistics on searches were compiled to monitor the use of body searches.

9. **Mr. Woo** Tak-ying (Hong Kong, China) reported that there had been an average of 20 deaths in custody per year between 2005 and 2010 among an inmate population of over 10,000. All deaths in custody had to be investigated by coroners. Head injuries and heat stroke had been among the causes of death. Correctional officers could recommend the release of a prisoner on grounds of ill health, and 26 persons had been released on those grounds in 2005–2010.

10. With regard to claims of being at risk of torture if repatriated, 37 of the 136 claims received by the Immigration Department from Sri Lankans in 2010–2012 had been rejected. Cases were assessed on the basis of their individual merit, and all relevant information was taken into account. An enhanced screening mechanism and free legal assistance were available to ensure claimants had every opportunity to substantiate their claims. It was not apparent that there should be a correlation between the number of substantiated claims and the effectiveness of the screening procedures. The Government would continue to ensure the fairness of those procedures and if real risks of torture were found, the claimant would not be deported.

11. Hong Kong, China, was not a source, transit point or destination for transnational human trafficking. The statistics provided showed that, in 2006–2011, 23 persons had been convicted of human trafficking-related offences. Hong Kong, China, attached great importance to combating human trafficking and had a comprehensive legal framework for doing so. The police liaised with its counterparts abroad, and measures had recently been introduced to improve the identification and protection of victims and the investigation of cases. The police had also established a new mechanism for combating child pornography, which would expedite the investigation of the associated offences. As far as crimes involving domestic foreign workers were concerned, new statistics were being compiled to ensure that adequate safeguards could be put in place and effective strategies developed.

12. **Mr. Lau** Kong-wah (Hong Kong, China) said that the Government had undertaken a number of campaigns to educate the public and eliminate discrimination against persons with different sexual orientation and that the action taken and legislation adopted in other countries was under study with a view to drafting new domestic legislation on the subject. As far as psychiatric care was concerned, there were two designated mental hospitals and three general hospitals with psychiatric observation units. There were also 1,500 places in long-stay care homes, 1,500 places in halfway houses, and 80 places in special hostels for the mentally ill, which were all run by non-governmental organizations (NGOs). The Hospital Authority had a two-tier complaints mechanism.

13. **Mr. Vardzelashvili** said that even if the power of the Standing Committee of the National People's Congress to interpret the law was only rarely exercised in practice, it was seen to pose a risk to the independence of the judiciary. He requested information on the extent to which the Standing Committee would be able to exercise its power of interpretation in relation to Chapter 3 of the Basic Law, on fundamental rights and

freedoms, and whether it could affect the scope of article 39 of the Basic Law, which stated that the Covenant and other international conventions in force in Hong Kong, China, would be implemented through the laws of the Hong Kong Special Administrative Region. Specifically, he wanted to know whether it could limit the Covenant's implementation in Hong Kong, China.

14. **Mr. Shany** asked whether asylum seekers could obtain temporary protection during a mass influx of asylum seekers, as recommended by the Office of the United Nations High Commissioner for Refugees.

15. **Ms. Chanet** said that a document sent by the Hong Kong authorities to the Human Rights Committee on 9 June 2009 stated that, since the establishment of the Hong Kong Special Administrative Region, the Standing Committee of the National People's Congress had exercised its power to interpret the law only when completely necessary and that that power would never interfere with the judicial independence and high level of autonomy that the Special Administrative Region enjoyed.

16. **Sir Nigel Rodley**, speaking as a member of the Committee, asked the Solicitor General, Mr. Poon Yong-kwong Frank, to indicate what had happened in the case of the 99 claims of being at risk of torture received from Sri Lankans that had not been rejected by the Immigration Department.

17. **Mr. Flinterman** said that he was somewhat confused since the Government had stated repeatedly that Hong Kong, China, was neither a source, nor a transit point nor a destination for human trafficking, yet had also reported that it was engaged in a wide range of activities to combat the phenomenon. He wished to know why Hong Kong, China, was opposed to implementing the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, given the strong legal basis it would provide for combating trafficking in persons. He also enquired about the definition of trafficking that was being used in the courts. Did it refer solely to the trafficking of women and children for the purposes of prostitution or was a broader definition being used?

18. Under the Covenant, strict conditions had to be met to restrict freedom of expression and association and the right to peaceful assembly. He invited the delegation to comment on reports that the police used disproportionate force on demonstrators. According to paragraph 19.6 of the replies to the list of issues, specific emphasis had been placed on identifying areas of improvement that could be considered for policing protective security operations in the future. He wished to know what kind of improvements had been introduced as a result. Specifically he asked whether the Public Order Ordinance would be reviewed and whether the independent Police Complaints Council would be mandated to investigate complaints about use of force and the suppression of demonstrations more thoroughly. He also enquired whether the use of video recording devices and force during demonstrations would be further regulated and whether the use of the Places of Public Entertainment Ordinance to prohibit public demonstrations would cease.

19. The right to life of children was protected in article 23 of the Covenant. In the light of the report published on child fatality, he enquired about the activities and findings of the panel subsequently set up in 2008 to address child suicide. With regard to the corporal punishment of children, he welcomed the provision of preventive, supportive and remedial welfare services and the fact that protection-order proceedings could now be instituted. He wished to know, however, what practices had been implemented under the legislation put in place to protect children from physical abuse. The Government had stated that preventing corporal punishment in the home was a complex issue that needed a full discussion of the problem by the general public, and he asked the delegation to indicate the steps the Government intended to take to initiate that discussion.

20. **Mr. Neuman** said that the live-in requirement for foreign domestic helpers rendered them vulnerable to sexual and physical abuse and exploitation. Theoretically, employees could initiate proceedings for their own protection but, in practice, live-in foreign domestic helpers were isolated and did not file complaints for fear of losing their jobs and being returned to their home countries. What purpose was served by the live-in requirement? Why could foreign domestic helpers not be afforded broader freedom and greater protection?

21. Although the Falun Gong movement was legal in Hong Kong, China, it appeared that it was unpopular in some sectors of society. According to information before the Committee, the police went to greater lengths to restrict demonstrations by the movement than by other groups. It had been reported that Falun Gong members attempting to enter Hong Kong, China, were subjected to a tougher screening process, that space was not made available for their meetings, and that the police failed to protect Falun Gong members from attacks by their opponents. It would be useful if the delegation could shed light on those allegations.

22. Noting that persons who, “under the Mental Health Ordinance (Cap 136) [were found] to be incapable, by reason of mental incapacity, of managing and administering his or her property and affairs”, were deprived of the right to vote, he asked why the specific grounds for the deprivation of that right were not contained in the relevant electoral laws, but rather in a separate and unrelated ordinance.

23. **Ms. Chanet** asked whether immigrants in an illegal situation, including those from mainland China, were entitled to legal aid. She also wished to know whether prosecutions for the crimes of treason or sedition had been conducted in accordance with article 23 of the Basic Law and, if so, with what results.

24. **Ms. Waterval** asked whether there was any supervisory mechanism to ensure that the police did not infringe on the privacy of individuals when making video recordings of demonstrations and public meetings. A failure to monitor activities by the police could constitute a violation of article 17 of the Covenant. She asked the delegation to comment on specific occasions when the police had arrested journalists and prevented news teams from filming visits by national Chinese leaders. Those and other incidents suggested that the authorities were attempting to restrict freedom of expression. She asked for more information with regard to the right to vote of residents born in mainland China.

25. **Mr. Iwasawa** said that he would like to know more about the representation of ethnic minorities in the Legislative Council, district councils and advisory and statutory bodies. It appeared that only a handful of the 460 advisory and statutory bodies had appointed members of ethnic communities. He asked what measures were planned to improve that situation.

26. Noting that proficiency in the Chinese and English languages was mandatory for employment in the civil service, but that each government department had leeway to modify that requirement depending on its particular needs, he urged the authorities to modify language regulations and make proficiency in Chinese mandatory only for positions in which its use was required. Most members of ethnic minorities in Hong Kong, China, were of South-East Asian origin and pupils of those minorities who were not fluent in Chinese were sent to specially designated schools. Chinese language tuition was inadequate in those schools and the failure of pupils of ethnic minorities to learn it properly constituted a hindrance to entry into civil service jobs or tertiary education. Indeed, only 1 per cent of tertiary students came from ethnic minorities. He would like to know whether the Government intended to remedy the situation amounting effectively to segregation of pupils in designated schools and to render Chinese language tuition for ethnic minorities more effective.

27. **Mr. Ben Achour** said that he would like to know whether the Hong Kong, China, had autonomous legislation on issues involving relations with other States, such as the right to asylum, or whether the legislation of China applied in such cases.

The meeting was suspended at 11.20 a.m. and resumed at 11.35 a.m.

28. **Mr. Poon** Ying-kwong Frank (Hong Kong, China) said that a ruling of the Court of Final Appeal had confirmed that the Standing Committee of the National People's Congress of the People's Republic of China (NPCSC) had general and unqualified power to interpret the Basic Law. It had issued an interpretation of Chapter 3 of the Basic Law regarding the right to vote of residents born in mainland China only once. Interpretations of the Basic Law had been requested on only three occasions since 1997 by the Governments of Hong Kong, China, and/or China and once by the courts. The Standing Committee had never been asked to interpret article 39 of the Basic Law. Interpretations were requested in order to clarify the application of the Basic Law and could not exceed its parameters or the terms of the Sino-British Joint Declaration of 1984. It was therefore unlikely that such an interpretation by the NPCSC Standing Committee would result in an infringement of the rights and freedoms of Hong Kong residents.

29. As stipulated by article 18 of the Basic Law, only those laws of China, such as legislation on nationality, contained in annex III of the Basic Law were applicable in Hong Kong, China. Under article 18, paragraph 3, the application of Chinese legislation was severely limited. Article 23 of the Basic Law, under which there had been no prosecutions in the previous 50 years, would be reviewed. The Government was not in favour of accession to the 1951 Convention relating to the Status of Refugees.

30. **Mr. Woo** Tak-ying (Hong Kong, China) said that neither the 1951 Convention relating to the Status of Refugees nor its 1967 Protocol had ever been applied in Hong Kong. The region was small and had a large and growing population. It was prosperous and operated a liberal visa regime, which would leave it vulnerable should the Convention and its Protocol be applied in its territory. The Government therefore maintained a firm policy of not allowing refugees or asylum seekers to settle. Their situation was dealt with by the local branch of the Office of the United Nations High Commissioner for Refugees (UNHCR).

31. It was established practice to delay deportation of immigrants in an irregular situation until the UNHCR had completed an assessment of their status and/or organized their resettlement in third countries. In conjunction with NGOs, the Government ensured that they were properly housed and fed and that their basic needs were met in the interim. Persons were not deported to countries where they ran a real risk of persecution or torture. Although there were thousands of asylum seekers in Hong Kong, China, awaiting assessment or resettlement by UNHCR, the Government rejected the notion that it had any obligation to allow them to remain. Claims by 99 Sri Lankan nationals that they faced the risk of being tortured if they were deported to their country were still being processed.

32. The Government was reticent about acceding to such instruments as the Palermo Protocol, given the flow of people through the territory – 48 million people had visited Hong Kong, China, in 2012 alone. Robust legislation more than adequately addressed human-trafficking offences.

33. **Mr. Hodson** (Hong Kong, China) said that the police force was duty-bound to ensure the safety of visiting political dignitaries, maintain public order and minimize inconvenience to the public. The police also respected freedom of expression and assembly and endeavoured to facilitate the conduct of peaceful assemblies and processions. The Independent Police Complaints Council (IPCC) had issued its final report on complaints arising from the visit by a Chinese dignitary in August 2011. Of 16 complaints about the actions of the police filed in the wake of the visit, 14 had been endorsed by the Complaints

Council and 1 remained sub judice. Four of the six allegations contained in the remaining complaint had also been endorsed and the remaining two classified as unsubstantiated. The Complaints Council had made a series of recommendations on how to improve security arrangements for such visits, to which the police would give due consideration. The police had improved its operational measures for working with the media and such events.

34. No permanent closed-circuit television systems were used to maintain law and order in Hong Kong, China. Video recording of demonstrations and other public meetings was carried out only by properly trained police officers and used to improve police handling of such events. It was not directed at individuals but persons suspected of breaches of the law could be targeted and the video recordings could be used as evidence. The recordings were kept for a maximum of 31 days, after which they had to be destroyed. Special authorization was required to keep them for a longer period and had to be reviewed monthly.

35. On 15 May 2011, Amnesty International had organized a public meeting to mark the International Day against Homophobia and Transphobia. A dance performance at the meeting had been staged without the requisite entertainment permit. The police had stopped the performance but had ensured the peaceful continuation of the meeting. An initial appeal against the police had been dismissed but another could not be excluded.

36. **Ms. Chang King-yiu** (Hong Kong, China) said that since 2008, the Pilot Project on Child Fatality Review had considered a number of child deaths that had occurred in 2006 and 2007, with a view to identifying good practices and providing recommendations. The Government had accepted the Review Panel's recommendation that a standing child fatality review mechanism should be established. In May 2011, the Director of the Social Welfare Department had appointed 20 multidisciplinary staff to the Child Fatality Review Panel, which had commenced work by reviewing child deaths from 2008. The Panel would share its findings with the public at the appropriate time.

37. With regard to corporal punishment, serious efforts were made to guarantee the right of every child to be protected from abuse. In addition to public education programmes targeting parents, the Social Welfare Department had developed resource packages for all departmental units and social service agencies providing family education services to promote and strengthen relationships in the family and prevent family breakdown. The packages covered numerous topics, including the physical and psychological development of children, communication skills, stress management for parents and skills for dealing with children's behavioural problems. The 2011 and 2012 Strengthening Families and Combating Violence publicity campaign had particularly emphasized the issue of corporal punishment.

38. The Social Welfare Department had also launched an annual programme to combat child abuse and other forms of domestic violence as a preventive measure; in addition, the Family Life Education Resource Centre provided a variety of multimedia resource materials to all departmental units concerned, and to social welfare agencies that provided family services. Moreover, the Department had established 11 specialized social welfare and child protection service units to provide a coordinated one-stop package of services for victims, families and abusers with a view to preventing child abuse and domestic violence and to helping victims and families overcome trauma and return to normal. Additional resources had been allocated to improve staffing in those areas during the past year. It should be noted that there was no specific legislation against corporal punishment in Hong Kong, China, as was the case in other countries such as Australia, Canada and the United Kingdom of Great Britain and Northern Ireland.

39. **Mr. Woo Tak-ying** (Hong Kong, China) said that the live-in requirement was the cornerstone of the policy on importing foreign domestic helpers, the objective of which was to ensure that priority in employment was given to the local workforce. Were that

requirement removed, the positions offered would be treated in the same way as positions for other lower-skilled workers, which would include the requirement to undergo a four-week open recruitment exercise before being considered by the Government. Foreign domestic helpers and employers were aware of the live-in requirement and signed contracts prior to their engagement.

40. The authorities did not tolerate any abuse of the system and the Immigration Department prosecuted employers who aided and abetted foreign domestic helpers in breaching the conditions of their stay. The police offered appropriate assistance to victims, while sentences, fines and community service orders were imposed on convicted employers. Moreover, the Government maintained close contact with the consulates of the major labour exporting countries and other NGOs in a tripartite effort to protect the interests of foreign domestic helpers and deter potential abusers.

41. **Mr. Lau** Kong-wah (Hong Kong, China) said that the police had not objected to any Falun Gong practitioners and there was no evidence of any discrimination against them in any private venue, or that they had been refused entry to Hong Kong, China, on religious grounds. Hong Kong, China, was an open and free society that was committed to the protection of fundamental rights and freedoms, including freedom of thought, conscience and assembly. Freedom and right of procession and peaceful assembly were enshrined in article 27 of the Basic Law and under section 8 of the Hong Kong Bill of Rights. All practitioners enjoyed equal freedom and rights.

42. **Ms. Chang** King-yiu (Hong Kong, China) said that the exclusion of persons with intellectual or psychosocial disabilities from standing for election was limited to persons found by the courts to lack mental capacity, and was subject to stringent conditions and certification by two independent medical practitioners. Once mental capacity was restored, any such disqualification ceased to apply. The disqualification provisions were clearly reasonable and were consistent with article 25 of the Covenant.

43. The Committee had asked about press freedom with reference to a personal letter sent by the Chief Executive to a newspaper demanding an apology for its publication of an article, in which it had alleged that he had Triad connections. It was not appropriate for the delegation to comment on his personal letter; however, the allegations published were serious.

44. With regard to applications for free television licences, the authorities were processing the three applications in question expeditiously and would announce the decisions in due course. In deciding whether or not to grant a free licence, the Chief Executive took a holistic account of a broad spectrum of complex factors.

45. Freedom of the press was a core value, guaranteed under the Basic Law and upheld by the Government. Radio Television Hong Kong (RTHK) was a government-funded station; its full independence was guaranteed and enshrined in its charter, which meant that it was immune from commercial and political influence. The Head of RTHK and Director of Broadcasting was responsible for ensuring that a system of editorial control was in place to provide accurate, impartial and objective programmes and was personally accountable for decisions taken by producers. The Government did not have any part to play in the design or delivery of programmes.

46. While the delegation did not have any figures available on the participation of ethnic minorities in elections and government bodies, it should be noted that the Civil Service Bureau's policy was to ensure open and fair competition for candidates, irrespective of their background. Appointments were based on an open recruitment exercise, which considered language proficiency to perform the required duties. In addition, the ethnic origin and race of serving officers was irrelevant to promotion.

47. However, in maintaining a biliterate, trilingual civil service that could serve the public efficiently, it was necessary to specify the Chinese and English proficiency requirements of each rank in order to ensure that the language skills of candidates met operational needs. Appropriate action had been taken to address the complaint of ethnic minorities in Hong Kong, China, for whom Chinese was a second language and who had complained that they were disadvantaged because of the language requirements. In the police force, for instance, adjustments had been made for the rank of constable, including proficiency in other languages. In the Correctional Services Department, the written Chinese test had been replaced with an oral question session for relevant grades. It was necessary to justify written and spoken language requirements in terms of the occupational needs of different jobs, and all language requirements would be regularly reviewed.

48. Education for ethnic minorities posed a challenge in Hong Kong, China, as it was difficult to strike a balance between the needs of the majority and the needs of ethnic minorities. However, parents played a role and ultimately decided whether to educate their children in mainstream Chinese or designated (ethnic minority) schools, which had different curricula. The proposal by NGOs that a curriculum for pupils with Chinese as a second language should be developed had been noted, although that issue was broad and complex. A number of measures had been introduced by the Chief Executive in 2013 to enhance support for non-Chinese students to learn Chinese, including an incentive grant scheme to enhance the professional competencies of Chinese language teachers teaching non-Chinese students. In addition, parents would be allowed to participate in the summer bridging programme for non-Chinese students so that they could provide better support to their children. Much work remained to be done in respect of education for ethnic minorities and the Government would continue to cooperate with minorities and NGOs in that regard.

49. **Mr. Bouzid** said that religious freedom was clearly provided for under article 34 of the Basic Law. Had any religious communities set up religious schools and, if so, which communities had done so?

50. **Mr. Flinterman** asked the delegation for further information as to whether certain practices relating to the importation of foreign domestic helpers, which would amount to contemporary slavery, were considered as trafficking in persons, and whether any prosecutions had been brought in such cases.

51. **Mr. Iwosawa** said that he took note with pleasure of the Government's willingness to address the issue of Chinese language education for ethnic minorities.

52. **Ms. Chang King-yiu** (Hong Kong, China) said that a number of the major religions had established schools and other services and facilities in Hong Kong, China. The delegation would provide the Committee with written information on the number of religious schools, disaggregated by religion.

53. The authorities took the rights of foreign domestic helpers and their contractual obligations seriously, including with regard to abusive practices such as the withholding by employers of employees' passports. Considerable efforts were made to inform workers and employers of their rights. The delegation would provide the Committee with written information on the treatment of complaints and the legal framework in place to tackle trafficking.

54. The delegation had been pleased to participate in the constructive dialogue on the third periodic report of Hong Kong, China, to review developments since 2006 and to reflect on future challenges, including the need to build consensus on the election of the Chief Executive in 2017. Her Government recognized the importance of protecting the rights of different groups, including sexual minorities, and was committed to comprehensive programmes to combat discrimination on grounds of sexual orientation. Hong Kong, China, had had no shortage of controversial issues since its establishment and

had found that rational and informed dialogue through consultation was the most useful approach to dealing with challenges. It looked forward to further constructive engagement with the Committee and hoped to continue to improve.

55. **The Chairperson** said that the Committee had highly appreciated the report, the detailed replies to the list of issues and the focused and serious responses of the delegation to questions raised during the dialogue.

56. Hong Kong, China, evidently enjoyed a high degree of freedom, including freedom of speech and respect for the rule of law; those were important achievements that should always be defended. Against that background, the application of public order measures in situations where there was no real threat to public order and the invocation of legislation on public entertainment could be disturbing not only to people in Hong Kong, China, but also abroad as it undermined public confidence that the current high degree of freedom could be maintained.

57. The delegation had reassured the Committee of the seriousness with which the authorities approached the question of non-refoulement, although it was somewhat troubling that the idea was rejected in principle. It was understandable that the State party would not feel itself bound by the Refugee Convention; however, non-refoulement extended beyond that. It would clearly be a violation of the Covenant to expose a person to a violation of their human rights elsewhere, in particular a serious violation such as torture. He expressed the hope that Hong Kong, China, did not reject the notion of refoulement in such cases.

58. Although the delegation had cited some instances of other countries that did not have laws on corporal punishment, most had laws on assault. The United Kingdom of Great Britain and Northern Ireland had been updating its legal system since the European Court of Human Rights had found it was violating rights by tolerating the serious infliction of physical pain and suffering by parents on children. The physical integrity of children was guaranteed under articles 7 and 24 of the Covenant.

59. The issue of universal suffrage remained a problem, regardless of the interpretation of whether the reservation applied since the change of administration. The ultimate aim was to achieve universal suffrage. He had found it reassuring that there was commitment to universal suffrage for the Chief Executive in 2017 and for the Legislative Council in 2020.

The meeting rose at 1.10 p.m.