

## **Report on Committee on Constitutional and Human Rights Affairs 2018**

In 2018, the CCAHR continues its work in reporting to the various rights committees of the United Nations with respect to the implementation of international human rights treaties in Hong Kong by way of submissions on the CEDAW<sup>1</sup> and CERD<sup>2</sup>, and for the purpose of the Universal Period Review of the implementation of ICCPR<sup>3</sup>.

In line with previous work undertaken by the Committee, CCAHR continued to make submissions to the HKSAR Government on legislative proposals with constitutional impact, such as the co-location draft legislation<sup>4</sup> and proposed amendments to the Immigration Ordinance, Cap. 115 pursuant to the Comprehensive Review on the Strategy for Handling Non-Refoulement Claims.<sup>5</sup>

The Committee has in the current year also given its views to the HKSAR Government during its consultation on the National Anthem legislation and in anticipation of a new consultation exercise on the implementation of Article 23 of the Basic Law, conducted a review of materials. In respect of National Anthem legislation, the Committee particularly commends the Constitutional and Mainland Affairs Bureau with respect to its manifest willingness to engage with and establish dialogue with the Bar. The Committee welcomes further opportunities for the exchange of views and to offer our assistance and expertise on important legislative programmes.

2018 has proved an “eventful” year, to say the least. The number and scope of challenges to the rule of law and fundamental rights appears unprecedented, counting amongst them, the banning of certain candidates from elections on political grounds, the objection raised by a few legislators to the appointment of non-permanent judges to the Court of Final Appeal, the proscription of a political organisation on alleged national security grounds, expulsion of a well-regarded foreign journalist without explanation. The Committee has, in accordance with its Terms of Reference, assisted the Bar Council in responding to some of these important public events having regard to the objectives of the Hong Kong Bar Association which include as one of its primary objectives the upholding and maintenance of the rule of law in Hong Kong. Judging by the events in the current year these challenges are set to continue and there is unlikely to be any let-up in the vigilance required to guard and the need to speak up for the rule of law in Hong Kong.

Wing Kay Po  
Chairman  
Committee on Constitutional Affairs &  
Human Rights

28 November 2018

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<sup>1</sup> Convention on the Elimination of All Forms of Discrimination Against Women; see Submission dated 27.04.2018

<sup>2</sup> Convention on the Elimination of Racial Discrimination; see Submission dated 16.08.2018

<sup>3</sup> International Covenant on Civil and Political Rights; see Submission dated 07.05.2018

<sup>4</sup> See Submissions dated respectively 12.03.2018 and 29.03.2018

<sup>5</sup> See Submissions dated 27.09.2018

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