



中國夢智庫

Chinese Dream Think Tank

Address: 12/F, 202 Centre, 202 Des Voeux Rd West, H.K
Tel. No: 39984175 Fax No: 81485726

Hong Kong

Preamble

1. This submission focuses on an examination of Hong Kong China mainly through the lens of the International Covenant on Economic, Social and Cultural Rights (“**Covenant**”). We are of the opinion that there is more to be said for a satisfactory implementation of the Covenant than against it.

General governing principles

2. The Hong Kong Special Administrative Region (“**HKSAR**”) is a local administrative region directly under the Central People’s Government of the People Republic of China. In accordance with the Constitution of the PRC and the Basic Law of Hong Kong, the Central People’s Government exercises comprehensive jurisdiction over Hong Kong, including the power directly exercised by the Central People’s Government and the delegated power exercised by the HKSAR to maintain a high degree of autonomy in the city. Instead of having no supervisory power or relinquishing the said power, the Central People’s Government must ensure that the delegated power is exercised properly under its supervisory radar. Such supervision serves as a guarantee for



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the accurate implementation of the principles of ‘one country, two systems’ and the Basic Law.

Implementation of the National Security Law

3. Article 4 of the Law of the People’s Republic of China on Safeguarding National Security in the Hong Kong Special Administrative region (“**HKNSL**”) requires that human rights (as guaranteed by the Basic law, the International Covenant on Civil and Political Rights and the Covenant) including the freedom of expression, freedoms of the press, of assembly, of possession and of demonstration, shall be protected in safeguarding national security.

4. The HKNSL has been confined to only four offences, namely acts of secession, subversion of state power, organizing and carrying out terrorist activities, and collusion with foreign or external forces to endanger national security. The penalizing net has been cast in the search for an extremely small number of criminals who are posing a serious threat to national security. Providing protection for the majority of law-abiding citizens in the city proves as important to the draftsmen as punishing the offenders of the HKNSL. In addition to providing safety for the majority of Hong Kong citizens, the HKNSL also protects their rights and freedoms guaranteed by law.



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5. We are of the opinion that the HKSAR has practically implemented the HKNSL to safeguard the rights and freedoms of Hong Kong people in its day-to-day governance of the city.

6. Constitutionally, the Basic Law of Hong Kong provides that permanent residents of Hong Kong shall have the right to vote and the right to stand for election, and thus protecting their human rights and freedom. According to Articles 45 and 68 of the Basic Law, the methods for selecting the Chief Executive and forming the Legislative Council shall be specified in the light of the actual situation and in accordance with the principle of gradual and orderly progress. The ultimate aim is the selection of the Chief Executive and the election of all the members of the Legislative Council by universal suffrage.

7. Concerning freedom of speech and publication, the HKSAR government respects the rights of Hong Kong people stipulated in the Basic Law and the Hong Kong Bill of Rights Ordinance. Since freedoms of expression and publication are the basic rights of Hong Kong people, the media are free to report on external affairs.

Economy of Hong Kong

8. On 10 January 2023, Hong Kong re-opened its borders with the mainland, adding momentum to the economic development of the city. Recently, the bullish



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sentiment in our stock market, together with capital inflow into Renminbi assets and the perceived bright economic outlook of Hong Kong and China, has heralded an important developmental stage of our financial market.

Conclusion

9. An NGO Amnesty International has recently published a report to defame the human rights record of Hong Kong. We earnestly urge the Committee on Economic, Social and Cultural Rights to either scrutinize or reject the report submitted by the Amnesty International. To be fair to Hong Kong, the report should not be adopted.
10. According to Article 57(a) of the Resolution, if an organization, either directly or through its affiliates or representatives acting on its behalf, clearly abuses its status by engaging in a pattern of acts contrary to the purposes and principles of the Charter of the UN including unsubstantiated or politically motivated acts against Member States of the UN incompatible with those purposes and principles, the consultative status of this NGO with the Economic and Social Council and its listing on the Roster shall be suspended up to three years or withdrawn.
11. We also urge the Committee to investigate the Amnesty International's incorrect report. Their illegal activities and any of their acts that violate Article 57(a) of



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the Resolution should also be investigated. If they are culpable, the Committee may consider withdrawing their consultative status.

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