

新聞稿

由：香港人權資訊中心

日期：2023 年 1 月 17 日

**香港人權資訊中心**  
**就香港人權問題向聯合國經濟、社會及文化權利委員會**  
**提交報告書**

香港人權資訊中心昨日（1月16日）已向聯合國經濟、社會及文化權利委員會（委員會）提交報告書，詳述香港的人權狀況。我們期望報告有助委員會了解香港市民在行使經濟、社會及文化權利（經社文權利）時面對的困難和威脅。我們促請委員會對香港惡化的人權狀況表達關注，以及要求香港政府停止一切侵害人權的行為及作出即時改善。

報告書指出，香港的人權狀況在《國安法》實施後出現制度性的惡化。中國及香港政府主動以各種法律、政策、行政措施和行動，侵犯香港人在《經濟、社會及文化權利國際公約》（《公約》）下受保障的多項人權，重點包括：

- （一）香港政府運用《國安法》、其他法律及行政措施，壓縮公民社會的運作空間和製造寒蟬效應，窒礙市民行使《公約》保障的權利。一些與經社文權利相關的機構，包括公民團體及藝術創作者，都因政治立場或其創作主題而被視為「反政府」，並被終止或威脅撤銷資助，令其無法運作或限制發展。
- （二）香港政府拒絕接受聯合國人權事務委員會在 2022 年審議結論的意見，反而指控他人以人權報告抹黑香港和中國。另外，參與審議機制的公民團體亦遭到「起底」威嚇。
- （三）大型工會解散帶來工會解散潮，參與工會的人數大幅下降。香港政府運用法律限制市民行使勞工權利，集體談判權的發展及立法亦裹足不前。
- （四）香港政府公布《國家安全教育課程框架》，指令教師教授國家安全的方法，並於各級學校（包括大學）推動愛國教育，改革通識教育科，審查教科書和刪除爭議性課題。同時，有大學學者因政治立場而被解僱或受壓，亦有中學教師被取消教學資格。
- （五）香港政府對公共圖書館館藏、互聯網、電影及文化創作進行政治審查，大量書籍、影視作品被下架或禁止公映。
- （六）因應 2019 年冠狀病毒病，香港政府推出一連串不必要及不符比例地限制人權的防疫措施，侵犯市民的工作、教育及健康權利，亦有藉防疫措施打壓工會之嫌。

(七) 警察於 2019 年及 2020 年間使用大量催淚彈及混有化學劑的水炮鎮壓示威，並有警員在行動中阻礙急救員施救及拘捕義務急救員，使示威者無法及時得到治療。警察亦被指控在處理年輕的被捕者時，違反保障兒童的特別措施。

(八) 涉及國安案件的被告長時間被未審先囚，與親人和子女長期分隔。

香港人權資訊中心發言人表示：

「我們期望報告有助委員會了解香港市民在行使經社文權利時面對的困難和威脅。我們促請委員會對香港惡化的人權狀況表達關注，並期望委員會要求中國及香港政府立即停止一切侵害人權的行為及作出即時改善。此外，考慮到《國安法》對經社文權利的侵害，中國及香港政府應採納 2022 年 7 月聯合國人權事務委員會就第四次定期報告的結論性建議，廢除《國安法》。」

**報告書全文：**

<https://drive.proton.me/urls/8VK5SCNC84#IZBipdTG8p8o>

## **背景**

為督促《公約》的締約國履行《公約》下的責任，以及持續地改善人權，聯合國經濟、社會及文化權利委員會定期審議各締約國實施《公約》的狀況，並按觀察所得發表審議結論，詳述委員會的關注及對締約國政府提出改善建議。香港政府已根據《公約》的要求及機制，於 2019 年 12 月向委員會提交第四次定期報告；委員會根據政府和民間團體的報告，在 2021 年 4 月訂出議題清單；香港政府在 2022 年 3 月就議題清單向委員會提交了進一步資料。根據程序，委員會將於本年 2 月 15 及 16 日與中國、香港及澳門政府舉行會議，就人權問題向香港政府提出質詢。委員會並會在會議後發表審議結論，詳述委員會的關注和改善建議。

香港人權資訊中心於 2022 年成立，是由一班擅長法律及政策研究的香港人所組成，目標是要向外界提供有關香港的人權、法治及政治發展的更新和可靠的資訊，以支持香港的公民社會，並以國際人權法和標準，捍衛香港的人權和自由。聯絡：[info@hkchr.org](mailto:info@hkchr.org)

**參考資料：**

中國香港根據《公約》第十六條和第十七條於 2019 年提交的第四次定期報告（於 2019 年提交）

[https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=E%2FC.12%2FCHN-HKG%2F4&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=E%2FC.12%2FCHN-HKG%2F4&Lang=en)

經濟、社會及文化權利委員會與中國香港第四次定期報告有關的問題清單（2021 年 4 月發布）

[https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=E%2FC.12%2FCHN-HKG%2FQ%2F4&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=E%2FC.12%2FCHN-HKG%2FQ%2F4&Lang=en)

中國香港對與第四次定期報告有關的問題清單的回應 ( 2022 年 3 月提交)

[https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=E%2FC.12%2FCHN%2FRQ-HKG%2F4&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=E%2FC.12%2FCHN%2FRQ-HKG%2F4&Lang=en)

經濟、社會及文化權利事務委員會第七十三屆會議工作方案 ( 暫擬 )

[https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCESCR%2FINF%2F73%2F34197&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCESCR%2FINF%2F73%2F34197&Lang=en)

## **Press Release**

From: Hong Kong Centre for Human Rights

Date: 17 January 2023

### **Submission to UN Committee on Economic, Social and Cultural Rights on Human Rights Situation in Hong Kong By Hong Kong Centre for Human Rights**

Hong Kong Centre for Human Rights (“**HKCHR**”) submitted a parallel report to the UN Committee on Economic, Social and Cultural Rights (“**Committee**”) yesterday (16 January), which illustrated the actual human rights situation in Hong Kong in detail.

We hope that the report could assist the Committee to understand the difficulties and threats faced by Hongkongers when they are exercising their economic, social and cultural rights (“**ESC rights**”). We urge the Committee to express concerns over the deteriorating human rights situations in Hong Kong, and demand the Hong Kong government to cease violating human rights and take remedial actions immediately.

The HKCHR submitted that Hong Kong’s human rights situation has deteriorated on an institutional level since the imposition of the National Security Law (“**NSL**”). The Chinese and Hong Kong governments have infringed on the rights enshrined in the International Covenant on Economic, Social and Cultural Rights (“**ICESCR**”) by utilising different policies, laws and executive powers. Key points raised in the submission are as follows: -

- (1) The HK government utilised the NSL, other domestic laws and executive measures to shrink the civic space and create a chilling effect, so as to hinder people from exercising ESC rights. Groups related to ESC rights, including civil society groups and artists, are stigmatised as “anti-government” based on their political opinions or works. Their access to fundings is therefore obstructed or threatened to be obstructed in order to stifle their development or advocacy.
- (2) The Hong Kong government refused to accept and comply with the recommendations made in the concluding observation of the Human Rights Committee review in 2022. Instead, it accused groups of smearing Hong Kong and China by making human rights reports. Civil society actors who took part in the review were doxed.
- (3) One must also note the dissolution of leading large-scale trade unions which caused a domino effect, the decreased trade union membership and participation rate, the use of various domestic laws to hamper the exercising of labour rights, and a significant setback of collective bargaining.
- (4) The government issued national security guidelines for schools, which dictate the way teachers approach issues related to national security. Government promotes patriotic education in schools and universities, and reformed liberal studies for secondary students, accompanied by a stricter censorship on textbooks and removal of discussions on controversial social issues. We also provide information on the cases of dismissal of university professors based on political opinions, cases of pressure on scholars, and the deregistration of schoolteachers.

(5) We urgently bring to the Committee’s attention the recent waves of censorship of the internet, films, library materials and literature creation.

(6) We also address how the COVID-19 policies adopted by the HK government allegedly unnecessarily and/or disproportionately restrict the rights protected by the ICESCR in terms of the right to work, to education, and to health. This submission also records allegations that COVID-19 policies have been used to suppress the exercises of trade union rights.

(7) Police’s excessive use of chemical substance, including tear gas and water cannons, in suppressing protests during 2019 to 2020, obstructing first-aid in protests and arresting medical volunteers, obstructing injured protesters and arrestees from receiving prompt medical treatments, and police brutality especially in handling protests in recent years. The police have also violated special measures to protect children.

(8) Defendants of national security cases are under long-term pre-trial detention which separates them from their families and loved ones.

The Spokesperson of HKCHR said today:

“We hope that the report could assist the Committee to understand the actual human right situation in Hong Kong. We urge the Committee to express concerns over the deteriorating human rights situation in Hong Kong, and demand the Hong Kong Government to cease violating human rights and take remedial actions immediately. As to the adverse effect of the NSL on ESC rights, the Chinese and Hong Kong government should take step to repeal the NSL in accordance with the recommendations by the Human Rights Committee in July 2022.”

**Link to our submission:**

<https://drive.proton.me/urls/8VK5SCNC84#IZBipdTG8p8o>

**Background:**

UN Committee on Economic, Social and Cultural Rights regularly reviews each State party’s implementation of the ICESCR in order to monitor their fulfilment of their obligations under the treaty and to improve human rights. The Committee would issue concluding observations after each review to detail the Committee’s concerns and recommendations for the State party to better discharge their obligations under the treaty.

The ICESCR applies to Hong Kong. Hong Kong government submitted the 4th report to the Committee in December 2019 as pursuant to the mechanism and Committee’s request. Based on that and NGOs’ submissions, the Committee made a list of issues in April 2021 for the upcoming review. The Hong Kong Government submitted a reply to the list of issues in March 2022. According to the Committee’s programme of work, it will hold meetings with the Chinese government including Hong Kong and Macau SARs from 15<sup>th</sup> to 16<sup>th</sup> February to raise questions about human rights issues in Hong Kong. After the meetings, the Committee will issue concluding observations to elaborate the Committee’s concerns and recommendations for Hong Kong.

HKCHR is established in 2022 by a group of human rights defenders from Hong Kong with strong background in policy and legal research. The mission of HKCHR is to provide credible information

on the latest situation in Hong Kong, with reference to its legal, political, and human rights development, in order to support the resilient civil society in Hong Kong and defend the city's rights and freedoms in accordance with international human rights law and standards.

Contact: [info@hkchr.org](mailto:info@hkchr.org)

**Reference:**

Fourth periodic report submitted by Hong Kong, China under articles 16 and 17 of the Covenant, due in 2019 (received by UN in December 2019)

[https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=E%2FC.12%2FCHN-HKG%2F4&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=E%2FC.12%2FCHN-HKG%2F4&Lang=en)

Committee on Economic, Social and Cultural Rights' List of issues in relation to the fourth periodic report of Hong Kong, China (released in April 2021)

[https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=E%2FC.12%2FCHN-HKG%2FQ%2F4&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=E%2FC.12%2FCHN-HKG%2FQ%2F4&Lang=en)

Replies of Hong Kong, China to the list of issues in relation to its fourth periodic report (received by UN in March 2022)

[https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=E%2FC.12%2FCHN%2FRQ-HKG%2F4&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=E%2FC.12%2FCHN%2FRQ-HKG%2F4&Lang=en)

Proposed Programme of Work of Committee on Economic, Social and Cultural Rights 73rd session

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