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新聞稿

由：香港人權資訊中心

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聯合國完成審議香港婦女人權狀況 港府無基礎下指控公民團體提交不實信息及錯誤評論

聯合國消除婦女歧視委員會（委員會）於香港時間昨晚（5月12日）完成審議香港、澳門及中國大陸的婦女人權狀況。委員會稍後將發表審議結論，詳述對三地人權的關注和改善建議。對於香港政府在會上及新聞稿中指控公民團體提交不實信息，香港人權資訊中心（本中心）表示非常關注，認為港府嘗試打擊公民團體的可信性，更憂慮公民團體會遭受報復。

民政及青年事務局常任秘書長林雪麗在開場發言中表示：「一些非政府組織在提交予委員會的報告中對香港特區所作的若干評論。當中很多觀點是建基於不實信息和歪曲敘述，罔顧事實，對香港的狀況作出錯誤評論」。

林雪麗特別提到有兩項「錯誤評論」必須予以反駁：第一，警方並沒有在2019年反修例運動中作出基於性別的暴力行為，而香港的投訴警察制度亦行之有效，確保每宗投訴得到公平處理；第二，對於有指《國安法》干預婦女政治權利，她表示《國安法》實施後香港「由亂變治」，讓香港居民重新享有權利和自由，而且條文亦列明港府應當尊重和保障人權。

另外，會有委員問到，政府採取了什麼措施支持公民社會的工作以及保護女性人權捍衛者。不過，港府官員並無回應這條問題。

本中心發言人表示：

「我們非常關注香港政府再次指控公民團體向聯合國提交不實資訊。政府至今從未具體指出哪份報告或段落是虛假資訊，亦沒有提供任何實質證據以作反駁，卻妄自向聯合國委員作出如此嚴重指控，令人非常失望。」

「我們必須指出，政府對公民社會持有如此偏頗的態度是完全不能接受，亦令人憂慮公民團體會遭受報復。事實上，公民團體在聯合國人權公約實施狀況審議中有不可或缺的角色，可以協助委員會全面了解締約國的真實人權狀況。政府應認真對待公民社會的意見，即使公民團體的意見與政府立場不同，政府也有義務尊重團體的參與。公民團體在報復的威脅下減少或拒絕參與審議，會大大削弱聯合國人權機制監察締約國人權狀況的能力。」

「我們促請委員會及公眾關注是次參與審議及提交報告書的公民團體，日後會否遭到港府的報復。」

「港府所指的兩項『錯誤評論』，本身都是有事實依據的。首先，警方在反修例期間作出的基於性別的暴力行為（包括肢體及言語暴力），都已被新聞報導及公民團體清晰及詳細地紀錄下來（詳見[本中心報告](#)第 14 至 16 段）。至於現行的投訴警察制度，早於 2020 年已遭高等法院裁定為不符合《香港人權法案》，原因正是此制度無法提供真正的獨立調查。同時，多個聯合國人權機構多年來一直批評香港監警制度的獨立性和有效性。其中，聯合國人權事務委員會已多次要求港府就警察涉嫌濫權及過量武力的指控進行獨立調查，並於 2022 年指出香港的投訴警察制度並非一個獨立的機制，但港府至今拒絕進行獨立調查和修改這個制度（詳見本中心報告第 24 至 27 段）。」

「自從《國安法》生效後，大量事例顯示香港公民社會受到嚴重打擊，女性人權捍衛者及團體的活動遇到極大障礙，就連一個和平的三八婦女節遊行也無法舉行（詳見本中心報告第 1 至 13 段）。」

*註：聯合國消除婦女歧視委員會將於 5 月 26 日完成是次會議，預計將於屆時發表就各被審議國家的審議結論。

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關於我們

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。

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Press Release

From: Hong Kong Centre for Human Rights

Date: 13 May 2023

UN finished its review on Hong Kong women's human rights Gov't made baseless accusation that NGOs submitted false information and flawed comments

The United Nations Committee on the Elimination of Discrimination against Women ("Committee") finished its review sessions of human rights situations of Hong Kong, Macau and mainland China yesterday (12 May) in Hong Kong time. The Committee will issue the concluding observations later to elaborate the Committee's concerns and recommendations for the three governments.

Hong Kong Centre for Human Rights ("HKCHR") is very concerned about the accusations made by the Hong Kong government at the meeting and in previous press statements that civil society organizations (CSOs) have submitted false information to the Committee. It is an attempt to discredit civil society engagement. The Centre is also worried that CSOs will face reprisal from the government.

Shirley Lam, the Permanent Secretary for Home and Youth Affairs, stated in her opening statement that many of the statements in NGOs' submissions are "based on false information and distorted narratives regardless of the truth, with flawed comments on the situation in Hong Kong".

She mentioned two "false claims that certain NGOs have presented to the Committee". First, she claimed that the "gender-based violence" alleged to be committed by the police was ungrounded narratives. She also said that the police complaint handling mechanism is operating effectively and fairly. Second, she disagreed with the "malicious claim" that the National Security Law ("NSL") has interfered with women's political rights. Instead, she believed that the implementation of the NSL has stopped the chaos and restored the stability in Hong Kong, allowing the enjoyment of rights and freedoms which many people had been unable to enjoy during the anti-extradition movement.

Moreover, the Hong Kong government did not respond to a member's question regarding what measures the government took to protect women human rights defender and support the civil society.

The spokesperson of HKCHR said:

"We are very concerned that the Hong Kong government has yet again accused CSOs of submitting false information to UN human rights bodies. The government has so far failed to substantiate its criticisms, including specifying which report or paragraph is false and providing concrete evidence to rebut them, yet it insists on making such serious allegations to the Committee."

"We must point out that such a biased attitude of the government towards the civil society is totally unacceptable. It could also raise fears of retaliation against CSOs. In fact, the contributions of CSOs are essential in assisting the Committee and other treaty bodies to thoroughly understand the real situations of a State Party. The effectiveness of the human rights review will be severely restricted if CSOs cannot engage with the Committee and other treaty bodies freely due to threats of reprisals."

“We urge the Committee and the public to closely watch the situation as to whether the CSOs participating in the current review will be retaliated against by the Hong Kong government in the future.”

“Moreover, the allegations referred to by the Hong Kong government are well founded. First, the gender-based violence (including physical and verbal violence) committed by the police during the anti-extradition movement has been clearly and thoroughly documented by CSOs (see para. 14-16 of [our report](#)). The High Court of Hong Kong has also held in 2020 that the existing police complaints mechanism was inconsistent with the Hong Kong Bill of Rights due to its lack of genuinely independent investigations. Various UN human rights bodies have consistently criticized the mechanism for its lack of independence and effectiveness. The Human Rights Committee has repeatedly urged the Hong Kong government to conduct an independent investigation into the allegations of excessive use of force by the police; in its review of Hong Kong in 2022, it again disapproved the police monitoring mechanism of Hong Kong. Regrettably the government has refused to conduct independent investigation or introduce reform (see para. 24-27 of our report).”

“Secondly, since the NSL came into effect, numerous incidents have shown that there is a severe crackdown on the civil society. Activities of women human rights defenders and groups have encountered tremendous obstacles, even a peaceful march on the International Women's Day could not be held (see para. 1 to 13 of our report).”

Note: This session of The Committee on the Elimination of Discrimination against Women will end on 26 May. The Committee is expected to release its concluding observations on or around that day.

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About us

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.

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