

Response by CS at UNHRC Universal Periodic Review meeting

The Chief Secretary for Administration, Mr Matthew Cheung Kin-chung, attended the meeting under the Universal Periodic Review mechanism of the United Nations Human Rights Council today (November 6, Geneva time) in Geneva, Switzerland. Following is the response made by Mr Cheung at the meeting:

Mr President,

Human rights in the Hong Kong Special Administrative Region (HKSAR) are fully protected by the Basic Law, Hong Kong Bill of Rights Ordinance and other laws. The rule of law, an independent judiciary and freedom of speech are amongst Hong Kong's core values.

Recent concerns over some aspects of our human rights situation are unwarranted, unfounded and unsubstantiated. They arise from misconception and a lack of understanding of our real situation. Let me explain.

Under "one country, two systems", Hong Kong enjoys a high degree of autonomy. Fundamental rights and freedoms are all guaranteed by the Basic Law.

We are firmly committed to protecting press freedom. We do not exercise any censorship. On a recent work visa extension case, we will not comment on any specific decision on our immigration control. All such decisions are made by our immigration authorities under the laws and prevailing policies, having regard to individual circumstances of each case. Any concerns that Hong Kong's freedom of speech and of the press is under threat are totally groundless. On the contrary, we maintain an environment conducive to the operation of a free and active press. Some 80 foreign media organisations operate in Hong Kong and rigorously perform their role as a watchdog.

As for the eligibility for running in the Legislative Council election, upholding the Basic Law and swearing allegiance to HKSAR is a basic legal duty of a legislator. One cannot do so if one promotes "Hong Kong independence" or "self-determination" or advocates independence as an option. These run counter to the constitutional and legal status of Hong Kong SAR. Article 1 of the Basic Law stipulates that Hong Kong SAR is an inalienable part of the People's Republic of China. It is our duty to safeguard our country's sovereignty, security and development interests.

On speculations of authorities of other jurisdictions taking law enforcement actions in Hong Kong, our Police have investigated and found no evidence in support of such claims.

On the decision to ban an organisation under the Societies Ordinance, as

an appeal has been lodged, we will not comment further. But let me stress that Hong Kong people do enjoy freedom of association and expression but, like any other jurisdictions, such freedom is not absolute. The International Covenant on Civil and Political Rights (ICCPR) provides that restrictions may be imposed by law if this is necessary to protect national security or public safety, public order, or the rights and freedoms of others. This is mirrored in the Hong Kong Bill of Rights.

On the misunderstanding that some protesters were targeted for exercising their civil rights, I must clarify that these protesters were convicted not because of their beliefs or their exercising civil rights, but because of their disorderly or violent conduct in breach of the law. They have crossed the line separating the lawful exercise of constitutional rights from unlawful activities subject to sanctions. I must say that the number of public meetings and processions in Hong Kong last year was ten times over 1997, and the overwhelming majority of these activities were orderly and peaceful. This demonstrates that freedom of peaceful assembly is fully respected.

On interpretation of the Basic Law, the Standing Committee of the National People's Congress (the Standing Committee) has the ultimate authority to do so under Article 158 of the Basic Law. This is part of our constitutional order. Our Court of Final Appeal agrees that the Standing Committee's interpretation is valid and binding on our courts.

As for Article 104 relating to oath-taking when assuming specified public offices, the Standing Committee's interpretation simply explains clearly the meaning of that Article without changing its content.

Since the establishment of the Hong Kong Special Administrative Region in 1997, Hong Kong has remained the world's freest economy, a vibrant international financial and business centre, a thriving logistics and tourism hub, as well as one of the safest cities in the world. We are committed to building a caring and fair Hong Kong, with the Government investing heavily in education, medical services, welfare, infrastructure, poverty alleviation and helping the ethnic minorities. These remarkable achievements are underpinned by our core values and unique institutional strengths which make Hong Kong tick.

Mr President, Hong Kong will continue to forge ahead as Asia's world city with openness, inclusiveness and diversity under the successful, innovative, and well-tried "one country, two systems". Thank you.

[Death on arrival case in Cheung Sha](#)

Wan reclassified as manslaughter

Police today (November 6) reclassified a death on arrival case in Cheung Sha Wan as manslaughter.

At about 7.50am yesterday (November 5), Police received a report from a male staff of a hospital in Cheung Sha Wan in which a 41-year-old male patient was found lying on the floor in the bathroom of a ward at about 9.00pm on November 4. Sustaining head and face injuries, he was rushed to Princess Margaret Hospital in conscious state and was subsequently certified dead at 2.15am on November 5.

Police's investigations revealed that the deceased was pushed by a male patient in the bathroom of the ward in the evening of November 4.

Police arrested the 33-year-old male patient for manslaughter in Cheung Sha Wan this afternoon. He is being detained for further enquiries.

Post-mortem examinations will be conducted later to ascertain the cause of death of the deceased.

Investigation by the District Crime Squad of Sham Shui Po District is underway.

Second-day auction results for Victoria Park Lunar New Year Fair stalls

A total of 86 dry goods stalls and eight thematic stalls were successfully let on the second day auction for stalls at the 2019 Victoria Park Lunar New Year Fair today (November 6).

Around 480 people attended the auction at the Assembly Hall, Lai Chi Kok Government Offices, 19 Lai Wan Road, Lai Chi Kok, Kowloon, from 9am to 6pm today, a spokesman for the Food and Environmental Hygiene Department said.

The average bid price for the dry goods stalls today was \$26,630, with the successful bids ranging from \$14,230 to \$80,000. The highest bid, \$80,000, was about 5.6 times the opening price of \$14,230.

The successful bids of the eight thematic stalls ranged from \$70,700 to

\$76,500 with an average of \$73,313, against an opening price of \$41,650.

The auction for the remaining 196 dry goods stalls will be held at 9am tomorrow (November 7) and on Thursday (November 8) at the same venue.

The spokesman reminded the successful bidders to comply with all the stipulations and provisions as set out in the licence agreement. Otherwise, the department is entitled to terminate the agreement and the licensee shall immediately vacate the stall.

[“90 Years of Public Service Broadcasting in Hong Kong” exhibition to be held at Hong Kong Heritage Museum \(with photos\)](#)

The "90 Years of Public Service Broadcasting in Hong Kong" exhibition will be open to the public from tomorrow (November 7) at the Hong Kong Heritage Museum. The exhibition showcases special moments in the history of Radio Television Hong Kong (RTHK) and the broadcasting industry in Hong Kong over the past 90 years.

To celebrate the milestone of the 90th anniversary of public service broadcasting in Hong Kong in 2018, the "90 Years of Public Service Broadcasting in Hong Kong" exhibition is jointly presented by the Leisure and Cultural Services Department and RTHK and jointly organised by the Hong Kong Heritage Museum and RTHK. Through the presentation of a recording studio, classic scenes from programmes including "Below the Lion Rock" and "City Forum" and displays of RTHK's invaluable photos and audio-visual archival materials, the exhibition showcases the development of Hong Kong's broadcasting industry with RTHK as the focus and lets visitors revisit glorious moments of the industry's history through sound and image.

An opening ceremony for the exhibition was held today (November 6). Officiating guests included the Acting Chief Executive, Ms Teresa Cheng, SC; the Permanent Secretary for Commerce and Economic Development (Communications and Creative Industries), Mr Clement Leung; the Director of Leisure and Cultural Services, Ms Michelle Li; the Director of Broadcasting, Mr Leung Ka-wing; representative of the performing arts sector Alan Tam; and the Museum Director of the Hong Kong Heritage Museum, Ms Fione Lo.

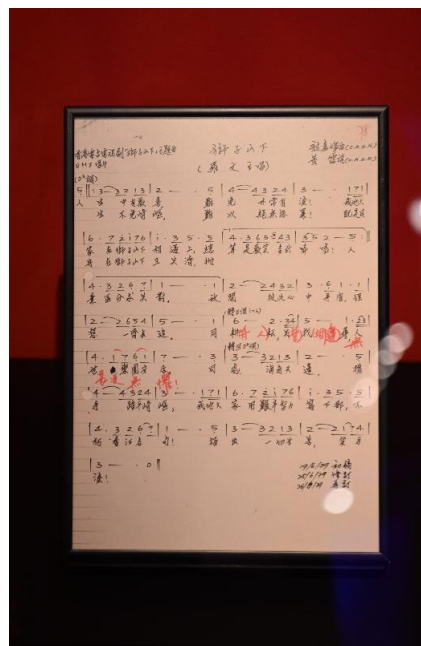
Radio and television broadcasting is closely related to the daily lives of Hong Kong people. The broadcasting industry provides news and entertainment, bears testimony to social events, and promotes history,

culture and art. It has developed alongside society and has captured collective memories along the way.

In June 1928, the then Hong Kong Government took over a non-governmental radio broadcasting body, the Hong Kong Radio Society, to commence its broadcasting services. With "GOW" as its call sign, the broadcaster marked the founding of what is known today as RTHK. Since then, RTHK has become the sole public service broadcaster in Hong Kong. As the years passed, technological advances facilitated RTHK's innovation and evolution of programmes. In addition to its long-established radio service, RTHK later launched its TV service followed by the development of its website and mobile apps. News, information and entertainment are provided on various platforms to suit the public's changing lifestyle.

The exhibition will run until February 25 next year. For details of the exhibition, please visit www.heritagemuseum.gov.hk/en_US/web/hm/exhibitions/data/exid253.html, or call 2180 8188 for enquiries.

The Hong Kong Heritage Museum is located at 1 Man Lam Road, Sha Tin.





Works contractors of Link convicted for illegally using powered mechanical equipment to conduct renovation works on holiday at Kwong Yuen Shopping Centre and Kwong Yuen Market

Works contractors of Kwong Yuen Shopping Centre and Kwong Yuen Market under Link, Hop Cheong Ying Kee Limited and Ying Fung Company illegally used powered mechanical equipment to conduct renovation works on holidays. Hop Cheong Ying Kee Limited and a worker of Ying Fung Company were convicted by Fanling Magistrates' Courts on October 23 and today (November 6) for contravening the Noise Control Ordinance (NCO). They were fined a total of \$24,000.

An Environmental Protection Department (EPD) spokesman said that the department received complaints from members of the public in April this year about the noise nuisance generated by the renovation works at Kwong Yuen Shopping Centre and Kwong Yuen Market on holidays. Upon investigation, it was confirmed that the works contractors concerned carried out renovation works on holidays with the use of a concrete corer and a hand-held breaker. In addition, the contractors did not obtain any construction noise permit (CNP) prior to the commencement of works. After investigation and evidence gathering, the EPD initiated prosecution against Hop Cheong Ying Kee Limited and a worker of Ying Fung Company in accordance with the NCO.

The EPD spokesman explained that the NCO aims to protect the public from disturbance of rest. Members of the construction industry should carry out works during the daytime and non-general holidays as far as possible to minimise noise disturbance to the nearby residents. If any works procedures have to be conducted during the restricted hours (between 7pm and 7am on the following day, or at any time on a general holiday), a permit must be obtained from the EPD in advance. The construction works shall commence only when the CNP has been granted upon completion of assessment to support its compliance with regulatory requirements. The construction works granted with the permit must also strictly comply with the relevant requirements of the CNP, only specified powered mechanical equipment can be used for the construction works and noise mitigation measures should be implemented, including the erection of fences and noise barriers at the sites. Otherwise, it constitutes an offence. Under the NCO, first-time offenders are liable to a maximum fine of \$100,000. A maximum fine of \$200,000 may be imposed on second or subsequent convictions.

Regarding the irregularities of the works contractors, the EPD also reminded Link Properties Limited, as the management company of Kwong Yuen Shopping Centre and the property owner of Kwong Yuen Market, that the company should strengthen its supervision of works carried out by its works contractors during restricted hours. The works must be conducted in accordance with statutory requirements and must not cause disturbance to nearby residents.