MESSAGE

In last year's message, my predecessor reminded readers that human rights are everyone's rights. They were ours, he affirmed, not by dispensation, but by the simple fact of our existence. And it was the task of governments to ensure that there was no unreasonable impediment to the enjoyment of those rights. I wish now to reaffirm those principles and the Government's commitment to putting them into practical effect.

The past year has again been an important one in terms of Hong Kong's ongoing commitment to meeting our obligations under the



international human rights treaties that apply to us. In November 1999, a substantial Hong Kong delegation - led by my predecessor in person - attended the hearing of our initial report under the International Covenant on Civil and Political Rights. In May this year, a Hong Kong team attended the hearing of our report under the Convention Against Torture as part of China's delegation. We will next submit our report under the Convention Against Racial Discrimination to the UN as part of China's current report. Plans are well in hand for our attendance at the hearing of our report under the International Covenant on Economic, Social and Cultural Rights.

Hong Kong has a remarkable track record in the development of human rights protections. We will continue to work hard to uphold our achievements.

Jinte

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The Rights of the Individual

Policy Objective and Key Result Areas

THE RIGHTS OF THE INDIVIDUAL

Our Policy Objective is to protect and promote the rights of the individual.

Overall targets

Our targets this year in pursuing this Policy Objective are -

- to achieve community perception that rights are safeguarded
- to achieve international community perception that the rights of the individual in Hong Kong are adequately protected

Progress

In the last twelve months, we have achieved most of the objectives we set ourselves last year. Our reports to the United Nations under four human rights treaties have all been submitted. A review to address certain practical issues in respect of the Personal Data (Privacy) Ordinance (PDPO) is at an advanced stage, albeit behind schedule. Our efforts to disseminate the message of equal opportunities and the protection of privacy in respect of personal data have continued, with all pledges being met in good time. Again, a generally satisfactory year. But we will continue to do everything we can to do better.

We also achieved the following progress in our four Key Result Areas (KRAs).

1 Keep under review the rights of the individual

We attended the hearings of our reports under the International Covenant on Civil and Political Rights (ICCPR) and the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) and are preparing for that of our report under the International Covenant on Economic, Social and Cultural Rights (ICESCR), which is scheduled for April/May next year. We expect our report under the International Convention on the Elimination of All Forms of Racial Discrimination to be submitted shortly as part of China's current report under that Convention (ICERD). We are also making preparations for pre-drafting consultations on our forthcoming report under the Convention on the Rights of the Child (CRC). We are developing a closer working relationship with key non-governmental organisations, particularly in regard to our efforts to combat discrimination on the grounds of race and sexual orientation and to promote the rights of the child.

The review of the PDPO has taken longer than originally envisaged because, in the course of the exercise, new issues have been identified for study.

An inter-departmental working group - established to review the law and administrative measures affecting persons eligible for alimony has recommended improvements, which will be implemented in the year ahead.

We have announced that a Women's Commission would be set up to promote the well-being and interests of women in Hong Kong and to ensure their needs are looked after more effectively. The Health and Welfare Bureau will provide secretariat and executive support to the Commission and ensure implementation of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

2 Create and maintain necessary legal and administrative measures

To facilitate compliance with the Disability Discrimination Ordinance in the field of education, the Equal Opportunities Commission (EOC) is preparing a "Code of Practice on Education". The drafting is progressing well and the Commission expects to issue the Code in 2000-2001.

To facilitate compliance with the PDPO, the Office of the Privacy Commissioner for Personal Data (PCO) has issued a self-assessment kit to enable data users to ensure that their personal data systems comply with the requirements of the Ordinance. In view of the longer time required to study new issues identified in the review of the PDPO, the earlier target date for introducing the necessary amendment bill will have to be reconsidered after the completion of the study on the new issues.

3 Build community awareness and ownership

The EOC attaches great importance to its public education function. In 1999-2000, the Commission staged community roadshows in six districts. In November 1999, it organised an "Equal Opportunities Month", during which community organisations launched 24 EOCfunded activities throughout the territory to promote equal opportunities. In addition, the Commission broadcast a nine-episode docu-drama series from March to May this year to disseminate the equal opportunities message to a wider audience.

The sustained efforts made by the PCO have resulted in a high degree of awareness and acceptance of the PDPO. A public opinion survey, completed in early 2000, showed that about 95% of respondents were satisfied that the PCO had increased privacy awareness and 86% of data users considered compliance with the PDPO could bring long term benefits to their organisations. The PCO's plan to enhance publicity by establishing a Privacy Officers' Club and producing a docu-drama series was implemented successfully. The PCO has also published a "Code of Practice for Human Resource Management" to provide practical guidance to data users on compliance with the PDPO.

The Committee on the Promotion of Civic Education's "Biennial Survey on Civic Education 2000" indicates that 69% of respondents agree that human rights are protected by law, up 2% on 1998. But 7% disagree with this view, also up 2% on 1998. Some 56% agree that the present human rights situation here is satisfactory, with 11% disagreeing. In 1998, the corresponding percentages were 55% and 12% respectively. The percentage of respondents who agree that human rights protections have improved since the reunification has held steady at 32%. But 27% now disagree with that view, as opposed to 29% in 1998. However, 71% agree that, overall, Hong Kong protects human rights. Just 5% disagree with that view (this data derives from a new question; there are no corresponding statistics for 1998).

4 **Pursue legislative and administrative arrangements to protect** the rights of the individual

To facilitate frequent and regular improvements to Government websites, an inter-departmental working group has been established to monitor the sites, to provide timely feedback to departments, and to consider possible improvements to the "Guidelines on Information Dissemination Through Government Homepages". With the cooperation of the departments concerned and the Hong Kong Blind Union, the working group has conducted a pilot scheme to enhance the accessibility of Government websites to the visually impaired. The pilot scheme involved five selected sites (those of the Home Affairs Bureau, the Health and Welfare Bureau, the Information Technology and Broadcasting Bureau, the Information Technology Services Department and the Government Information Centre). We now plan to extend the exercise to all Government websites with a view to completing the exercise by the end of 2002.

In 1999-2000, the EOC revamped its website to accommodate the needs of different web surfers. Persons with a colour deficiency can now select the monochrome versions and persons with severe visual impairment can access the text-only modes and read the information with a Braille display, a voice synthesiser, or other conversion devices.

In March 2000, the five websites in the pilot scheme and that of the EOC were selected by Members of the Hong Kong Blind Union as one of the "Ten Outstanding Issues in 1999".

Progress on each previously announced initiative under the above KRAs is set out in the "Detailed Progress" section of this report.

Looking forward

To achieve our overall targets this year, we will undertake the following initiatives and targets under each of the KRAs for the coming year.

Keep under review the rights of the individual

We maintain our ongoing commitment to safeguard the rights of the individual, and to discourage and prohibit discrimination. As we explained in last year's booklet, this means ensuring that our laws, policies and practices are consistent with the Basic Law, Chapter III of which sets out the fundamental rights and duties of Hong Kong residents.

We shall continue to monitor closely the implementation of the Code on Access to Information, the "Guidelines on Interpretation and Application of the Code" and the "Guidelines on Information Dissemination Through Government Homepages". We shall introduce improvements as and when necessary.

We shall continue our review of the Personal Data (Privacy) Ordinance (PDPO) with a view to formulating legislative amendments aimed at addressing the practical issues identified in relation to the implementation of the PDPO.

An inter-departmental working group - established in 1999 to review the law and administrative measures affecting divorcees and children eligible for alimony - published its report in May 2000. It will continue to monitor the implementation of its recommendations (which have been accepted by the Government) and to consider other areas where further improvements can be made.

We have clearly demonstrated our commitment to meeting our obligations under the United Nations (UN) human rights treaties that apply to the HKSAR, particularly in respect of those that entail the obligation to submit periodic reports and to answer questions by the UN treaty monitoring bodies at the examinations ("hearings") of those reports¹. Our commitment to meeting our obligations in this regard is unchanged.

¹ The International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), the Convention on the Rights of the Child (CRC), and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). The Health and Welfare Bureau is responsible for reporting under the CEDAW. The Home Affairs Bureau is responsible for reporting under the other five treaties. We will assess our performance in respect of this KRA against the following indicator -

• Conducting legislative and administrative reviews on measures safeguarding human rights. Our target is to ensure that such reviews as may be necessary are conducted in good time.

We will pursue the following initiatives and targets to deliver results in this area -

Initiative *	Target
To find out the extent of discrimination relating to equal pay for work of equal value in the private sector (Equal Opportunities Commission)	To decide on the scope and commission a survey in 2000-2001
To report to the United Nations (UN) the legislative and administrative measures that are in place to implement the international human rights treaties (Home Affairs Bureau (HAB))	To address such measures in our report to the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)
To further develop contact with non-governmental organisations (NGOs) on human rights protection in the HKSAR <i>(HAB)</i>	To continue reporting on the views of NGOs in reports to the UN under the human rights treaties. To further improve the form of our outline reports for the consultations on the Convention on the Rights of the Child (CRC). And to work more closely with NGOs in the development of our educational materials
To submit further reports to the UN under the UN treaties and attend the related hearings <i>(HAB)</i>	We will next submit our report under the ICERD as part of China's report

* the bracketed information denotes the agency with lead responsibility for the initiative

2 Create and maintain necessary legal and administrative measures

We take legal and administrative measures to safeguard the rights of the individual. Among other things, previous measures of this kind have included the enactment of -

- the Sex Discrimination Ordinance
- the Disability Discrimination Ordinance
- the Family Status Discrimination Ordinance
- the Personal Data (Privacy) Ordinance

To enhance public access to Government information, all bureaux and departments observe the Code on Access to Information. Also, they all have homepages on the Internet.

To protect the right of divorcees and their children, current legislation facilitates maintenance payees' legal actions to enforce maintenance orders. Legal aid and Comprehensive Social Security Assistance are available to maintenance payees who are in need. In accordance with the recommendations made by an inter-departmental working group and accepted by the Government, we shall introduce legislative amendments and improve the existing administrative measures - in order to address the difficulties encountered by maintenance payees in collecting and enforcing maintenance payments.

In the field of protection of privacy in relation to personal data, the Home Affairs Bureau will issue guidelines to bureaux and departments on the protection of personal data contained in public registers.

In 2000-2001, the Equal Opportunities Commission will issue a "Code of Practice on Education" under the Disability Discrimination Ordinance. This will provide practical guidelines for the elimination of discrimination, harassment and vilification in the field of education.

We will assess our performance in respect of this KRA against the following indicators -

- The extent of local and international consultation on these measures. Our target is to hold consultations as the need arises.
- Timely revision to existing legislation and administrative measures as necessary. Our target is to catch up on the preparation of the drafting instructions for amending the Personal Data (Privacy) Ordinance.

We will pursue the following initiatives and targets to deliver results in this area -

Initiative	Target
To issue guidelines to bureaux and departments on measures to be adopted in order to safeguard against personal data contained in public registers being used for purposes unrelated to those of the registers <i>(Home Affairs Bureau (HAB))</i>	To issue guidelines within 2000 and review their implementation in mid-2001
To relax the circumstances in which the court can issue attachment of income orders, in order to ease maintenance payees' difficulties in collecting and enforcing maintenance payments <i>(HAB)</i>	To introduce amending legislation into the Legislative Council in early 2001
To empower the court to impose surcharges on maintenance arrears (HAB)	To introduce amending legislation into the Legislative Council in early 2001

Initiative	Target
To relax the requirements for all judgement summonses for recovering maintenance arrears to be served personally	To introduce amendments to the relevant subsidiary legislation in early 2001
(HAB)	

3

Through educational, publicity and administrative measures we seek to increase people's awareness of their rights and responsibilities. We also promote community awareness of rights under the United Nations human rights treaties that apply to the HKSAR. Through a variety of programmes, including Announcements of Public Interest, television docu-dramas, seminars and exhibitions, we aim to -

- promote equal opportunities for all, regardless of sex, marital status, pregnancy, disability, family status, race or sexual orientation
- protect personal data privacy by promoting compliance with the Personal Data (Privacy) Ordinance (PDPO)
- enhance public awareness of the Code on Access to Information and Government homepages on the Internet
- build a closer partnership with the community in creating an environment free from discrimination

In ensuring compliance with the PDPO, publicity and public education are as important as enforcement and the Office of the Privacy Commissioner for Personal Data will continue to improve its measures in these areas. To that end, it will increase the number of promotional seminars, conduct a major overhaul of its website, revise the existing guidelines on protection of personal data on the Internet, and publish an aid to the interpretation of the PDPO.

A review completed in May 2000 showed the need to increase our efforts to drive home the message that, after divorce, maintenance payers are responsible for providing for their ex-spouses and children. We also need to make maintenance payees aware of their rights and of the services available to them. We have planned a series of publicity measures for these purposes. We will assess our performance in respect of this KRA against the following indicator -

• The level of awareness of the Sex Discrimination Ordinance, Disability Discrimination Ordinance, Family Status Discrimination Ordinance and Personal Data (Privacy) Ordinance. Our target is for the Equal Opportunities Commission and the Privacy Commissioner for Personal Data to conduct periodic surveys of the awareness and understanding of matters pertaining to equal opportunities and privacy.

We will pursue the following initiatives and targets to deliver results in this area -

Initiative	Target
To promote equal opportunities	To produce a self-assessment
practices in the business sector	information kit for small and
(Equal Opportunities Commission	medium-sized enterprises in 2000-
(EOC))	2001
To gauge the business sector's awareness of equal opportunities legislation and assess the extent of implementation of equal opportunities policies and practices (EOC)	To commission a market/baseline survey in 2000-2001
To promote understanding of the	To organise five seminars to
Family Status Discrimination	explain the Family Status
Ordinance	Discrimination Ordinance and its
(EOC)	recent amendments in 2000-2001

Initiative	Target
To organise 100 public and in- house seminars to promote understanding of and compliance with the Personal Data (Privacy) Ordinance	To conduct the seminars in 2001
(Office of the Privacy Commissioner for Personal Data (PCO))	
To conduct a major overhaul of the Privacy Commissioner's Office website (PCO)	To complete the exercise in 2001
	To achlish do accient accidence
To revise existing guidance materials on the protection of personal data on the Internet to include matters related to electronic commerce	To publish the revised guidance materials in the last quarter of 2001
(PCO)	
To develop and publish an "Aid to the Interpretation of the Personal Data (Privacy) Ordinance" (PCO)	To publish the first version of the "Aid to the Interpretation of the Personal Data (Privacy) Ordinance" in the last quarter of 2001
To drive home the message that a person is responsible for the	By mid-2001, to mount publicity measures to –
maintenance of his/her child(ren) and ex-spouse even after divorce; and to inform maintenance payees of their rights and of the services available to them when they fail to	• disseminate our message(s) through at least ten publicity and public education activities organised by the Government
receive maintenance payments (Home Affairs Bureau)	• review existing publicity materials available to single parents and prospective divorcees with a view to incorporating our messages in them

Initiative	Target
	• design new publicity materials on the legal and administrative measures affecting persons eligible for maintenance
	• conduct at least one seminar, to familiarise both Government and non-governmental organisation (NGO) personnel with the measures affecting persons eligible for maintenance
	• provide financial assistance for community involvement projects organised by NGOs to disseminate our messages

4

The Equal Opportunities Commission handles complaints and takes enforcement action under the current anti-discrimination legislation (namely, the Sex Discrimination Ordinance, the Disability Discrimination Ordinance and the Family Status Discrimination Ordinance). Several Codes of Practice and training modules are in place to facilitate compliance with the legislation.

The Office of the Privacy Commissioner for Personal Data is responsible for enforcing and promoting compliance with the Personal Data (Privacy) Ordinance.

All Government bureaux and departments disseminate information in accordance with the Code on Access to Information while the Ombudsman investigates any complaints about non-compliance with the Code. As much government information as practicable is put on the Internet to facilitate access by the public.

In view of the increasing popularity of our websites as a source of information, we consider it necessary to revamp them all, in order to facilitate access by people with disabilities and by people with less powerful computer equipment. A pilot scheme involving five Government websites was completed in the first half of the year 2000 with feedback from the Hong Kong Blind Union. We now intend to extend the exercise to all Government websites. Taking into account the manpower constraints of the bureaux/ departments and vendors concerned, we plan to conduct the exercise in two phases and to complete it by 2002. The target for the first phase will be to revamp at least half of the websites by the end of 2001.

We will assess our performance in respect of this KRA against the following indicators –

• The number of requests received under the Code on Access to Information and number of visits to Government websites. Our target is an increase in the total number of requests for information and visits to web sites compared with the preceding year.

• The timely implementation of planned improvements. Our target is to implement all planned improvements within the timeframe stated in this booklet.

We will pursue the following initiatives and targets to deliver results in this area -

Initiative	Target
To develop a training module on equal opportunities for secondary school students	To have the module in place in 2000-2001
(Equal Opportunities Commission)	
To revamp Government websites to facilitate accessibility by people with disabilities and people with less powerful computer equipment (Home Affairs Bureau)	To revamp at least half of all Government websites by the end of 2001 and the remainder by the end of 2002
(Home Affairs Bureau)	

The Rights of the Individual

Detailed Progress

Keep under review the rights of the individual

Initiative *	Target #	Present Position +
To prepare for the United Nations (UN) hearings of our reports under the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)	To be ready in good time before the hearings to respond promptly and comprehensively to any questions that the UN Treaty Monitoring Bodies may ask (1999)	We fulfilled this commitment in regard to the hearings of our reports under the ICCPR (November 1999) and the CAT (May 2000). Preparations are well in hand for the hearing of our report under the ICESCR in April/May 2001. (Action in Progress: On Schedule)
(Home Affairs Bureau (HAB))		
To review the Personal Data (Privacy) Ordinance to address difficulties that have been encountered in its operation (HAB/Office of the	To complete drafting instructions to amend the Ordinance by early 1999 (1998)	As at 30 September 2000, we were revising our draft drafting instructions to take account of new proposals and comments. (Action in Progress: Behind Schedule)
Privacy Commissioner for Personal Data)		Denina Schedule)

- * the bracketed information denotes the agency with lead responsibility for the initiative
- [#] the bracketed information denotes the year in which the target was set
- ⁺ the bracketed information denotes the status of the target

Initiative	Target	Present Position
With a view to identifying areas for improvement, to review the existing law and the administrative practices that affect divorcees and children living on alimony (HAB)	To formulate recommendations by end-1999 (1998)	The Inter-departmental Working Group that conducted the review published its report in May 2000. The Government has accepted its recommendations. (Action completed)

2 Create and maintain necessary legal and administrative measures

Initiative	Target	Present Position
To devise and promote a Personal Data (Privacy) Ordinance (PDPO) compliance self-assessment scheme (Office of the Privacy Commissioner for Personal Data)	To launch the scheme in the first quarter of 2000 (1999)	A self-assessment kit, entitled "Privacy. SAFE", was launched on 31 March 2000. (Action Completed)
To prepare a Code of Practice on Education under the Disability Discrimination Ordinance to provide practical guidelines for the elimination of discrimination, harassment and vilification in the education field <i>(Equal Opportunities Commission)</i>	To issue the Code of Practice in 2000-2001 (1999)	The Equal Opportunities Commission is finalising the draft Code. (Action in Progress: On Schedule)
To amend the PDPO to address difficulties that have been encountered in its operation <i>(Home Affairs Bureau)</i>	To have an amendment bill ready by the end of 1999 for introduction into the Legislative Council (1998)	As at 30 September 2000, we were revising our draft drafting instructions to take account of new proposals and comments. (Action in Progress: Behind Schedule)

3

Initiative	Target	Present Position
To establish and manage a Privacy Officers' Club, i.e., a club of individuals with responsibility for implementing and co- ordinating compliance with the Personal Data (Privacy) Ordinance (PDPO) within their organisations in the private and public sectors (Office of the Privacy Commissioner for Personal Data (PCO))	To launch the initiative in the first quarter of 2000 (1999)	The Club was formed and its first meeting held in February 2000. (Action Completed)
To produce a television docu-drama series in promoting the protection of personal data privacy (PCO)	To broadcast a four- episode series in 2000 (1999)	The series was broadcast on four consecutive Saturdays in May/June 2000. (Action Completed)
To organise community roadshows in districts to promote equal opportunities (Equal Opportunities Commission (EOC))	To organise roadshows in six districts in 1999- 2000 (1999)	The Equal Opportunities Commission (EOC) organised roadshows in six districts in 1999-2000. (Action Completed)

Initiative	Target	Present Position
To promote the Training Module for children on Equal Opportunities and organising workshops for kindergarten teachers <i>(EOC)</i>	To organise three workshops for kindergarten teachers in 1999-2000 (1999)	The EOC organised five workshops for kindergarten teachers in 1999-2000. (Action Completed)
To organise an Equal Opportunities Month <i>(EOC)</i>	To publicise and support at least ten activities to promote equal opportunities in 1999-2000 (1999)	The EOC publicised and supported 24 activities to promote equal opportunities in 1999- 2000. (Action Completed)
To produce a docu- drama series in promoting equal opportunities (EOC)	To broadcast a nine- episode series in 1999- 2000 (1999)	The nine-episode docu- drama series was broadcast from March to May 2000. (Action Completed)
To organise promotional activities on equal opportunities targeting children and students at school <i>(EOC)</i>	To organise 70 activities in 1999-2000 (1998)	The EOC organised 155 activities in 1999-2000. (Action Completed)
To build networks with different sectors of the community to enlist their support in the elimination of discrimination (EOC)	To meet 30 groups in 1999-2000 (1998)	The EOC met 50 groups in 1999-2000. (Action Completed)

Initiative	Target	Present Position
To increase the extent to which we provide advice and guidance for data users in both the public and private sectors with regard to the protection of privacy in relation to human resources management practices <i>(PCO)</i>	To publish the Code of Practice on Human Resource Management by early 1999 (1998)	The Code was published in September 2000. (Action Completed)
To publicise the amendments to the PDPO which address difficulties that have been encountered in its operation (Home Affairs Bureau/ PCO)	To achieve an increased level of awareness as reflected by opinion surveys (1998)	There will be no such amendments to publicise until after we have completed the review of the PDPO and consequently introduced an amendment bill. We will reinstate this initiative when we have completed the review and formulated a timetable for the introduction of the amendment bill. (Action Completed)

Pursue legislative and administrative arrangements to protect the rights of the individual

complete the rcise in 1999-2000 99)	The EOC revamped its homepage in 1999-2000, with six different modes to better meet the needs of
	web surfers.
	(Action Completed)
implement all nges as soon as sible after enactment he legislative endments in 2000 98)	There will be no such changes to implement until after we have completed the review of the Ordinance and consequently introduced an amendment bill. We will reinstate this initiative when we have completed the review and formulated a timetable for the introduction of the amendment bill.
	nges as soon as sible after enactment he legislative endments in 2000