

## **Women's Commission**

### **Meetings of the United Nations Committee on the Elimination of Discrimination against Women for consideration of the Fourth Report of the Hong Kong Special Administrative Region under the Convention on the Elimination of All Forms of Discrimination against Women**

#### **Purpose**

The United Nations Committee on the Elimination of Discrimination against Women (the CEDAW Committee) met in Geneva of Switzerland on 12 May 2023 to consider the fourth report of the Hong Kong Special Administrative Region (HKSAR) under the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)<sup>1</sup>. This paper reports on the outcome of the hearing.

#### **Background**

2. The CEDAW has been applied in Hong Kong since 1996. Previous reports of the HKSAR formed part of the reports of the People's Republic of China (PRC) and were considered by the CEDAW Committee in 1999, 2006 and 2014 respectively. This is the fourth time that the CEDAW Committee considered a report of the HKSAR. The meeting arrangements for the hearing on the HKSAR's fourth report were discussed at the meeting of the Women's Commission on 26 April 2023.

#### **Outcome of the Hearing**

3. The HKSAR Government attended the occasion in May as part of the Chinese delegation<sup>2</sup> with an inter-departmental delegation led by the Permanent Secretary for Home and Youth Affairs (PSHYA), comprising representatives from the Home and Youth Affairs Bureau (HYAB), Constitutional and Mainland Affairs Bureau, Security Bureau, Department of Justice, Labour Department and Social Welfare Department.

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<sup>1</sup> The HKSAR's fourth report formed part of the ninth periodic report of the PRC under the CEDAW.

<sup>2</sup> The Chinese delegation was led by HUANG Xiaowei, Vice Director of the National Working Committee on Children and Women under State Council.

4. At the meeting of 12 May, the PSHYA, in her opening statement (**Annex A**), outlined the development of women in Hong Kong and the progress made by the Government in promoting women's interests and well-being in the past 10 years. The HKSAR Government has all along been implementing CEDAW in accordance with the provisions of the Basic Law and the local laws, including the four pieces of anti-discrimination legislation. The PSHYA also proactively took the chance to address certain flawed comments on the situation in Hong Kong made by individual non-governmental organisations (NGOs) in their submissions to the Committee, which were based on false information and distorted narratives. The PSHYA emphasised that with the implementation of the Hong Kong National Security Law, Hong Kong has made it to restore order from chaos. Hong Kong residents could once again enjoy the rights and freedom that were deprived of during the period of serious violence between June 2019 and early 2020. The PSHYA reiterated that the HKSAR Government would continue to dedicate resources to promote the realisation of women's due status, rights and opportunities.

5. The Committee's experts raised a number of questions and comments at the meeting as set out below –

- (a) The Hong Kong National Security Law: the Committee wished to understand how the HKSAR Government could ensure that the implementation of the Hong Kong National Security Law would not compromise women's rights.
- (b) The legal status of the CEDAW: the Committee wished to understand how the relevant provisions of CEDAW are applied to the HKSAR.
- (c) Women's participation in politics and public order events: the Committee claimed that the rights for women to participate in politics and public order events might have been curtailed due to security reasons.
- (d) The rights of foreign domestic helpers (FDHs): the Committee expressed concerns on the working conditions of FDHs, as well as the protection extended to them.
- (e) Women's participation in the work of judiciary: the Committee expressed concerns on how courts in the HKSAR could achieve gender diversity in appointing judges.

- (f) The implementation of the four anti-discrimination Ordinances: the Committee expressed concerns on the progress of the Government in reviewing the four anti-discrimination Ordinances.
- (g) The Work of the Women's Commission (WoC): the Committee expressed concerns on the WoC's current mandate and resources.

6. The delegation of the HKSAR Government responded to the Committee's questions on the spot. Notably, the delegation reiterated that the National Security Law clearly stipulates that human rights shall be respected and protected in safeguarding national security in the HKSAR. The rights and freedoms which the residents of the HKSAR enjoy under the Basic Law, the provisions of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights as applied to Hong Kong shall be protected in accordance with the law. Hence, the rights and freedoms under the CEDAW are fully protected in Hong Kong. The HKSAR Government issued a press release (**Annex B**) the day after the meeting to summarise the Committee's questions and the Government's response.

7. The Committee subsequently issued the Concluding Observations on 30 May 2023 (Geneva time) (**Annex C**). During the drafting, the Committee had taken into account the comments made by HKSAR Government and revised some of its recommendations. **In the Concluding Observations, the Committee has noted with appreciation the relevant legislative reform in the HKSAR and welcomed the increase of resources for the WoC.** The Committee has also commented and made recommendations on a number of areas. The HKSAR Government briefly set out its response to these areas the next day (31 May 2023) in a press release (**Annex D**). The Committee's Concluding Observations and the HKSAR Government's response were uploaded to the HYAB's website.

### **The HKSAR Government's publicity and explanatory work**

8. The HKSAR Government has conducted publicity work through multi-faceted and multi-media channels. Prior to the meeting, two local newspapers/online media published interviews with the Secretary for Home and Youth Affairs and the PSHYA to share with the public about the development of women in Hong Kong. Members of the WoC also expressed their views through a video which was uploaded on the social media platforms of the HYAB and the WoC.

9. At the same time, the HKSAR Government took the initiative to refute the false and biased contents of the reports submitted by individual NGOs in a press release (**Annex E**) before the meeting. On the day of the meeting, the PSHYA once again proactively made forceful clarifications and rebuttals in her opening statement. A video of her speech was uploaded to social media platforms and the full text of the speech was issued in press release.

10. The HKSAR Government issued press releases again on the day after the meeting and on the day after the issuance of the Concluding Observations to outline the Government's response and clarifications. Besides, the HYAB also shared with the public a video clip which features the delegation's preparatory work and highlights of the meeting on its social media platform.

### **Submission of Information and the Next Report**

11. The CEDAW Committee will later inform the PRC of the deadline for submission of its next report under the CEDAW (including the next (fifth) report of the HKSAR Government). In the interim, the HKSAR Government will provide relevant information by May 2025 in response to the CEDAW Committee's recommendation to improve the legislation on sexual offences.

12. Members are invited to note the contents of this paper.

**Home and Youth Affairs Bureau**  
**August 2023**

## **Press Releases**

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Opening statement by PSHYA at UN Committee on Elimination of  
Discrimination against Women meeting (with photo)

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The United Nations Committee on the Elimination of Discrimination against Women held a meeting in Geneva, Switzerland, today (May 12, Geneva time) to consider the fourth report of the Hong Kong Special Administrative Region under the Convention on the Elimination of All Forms of Discrimination against Women. Following is the opening statement made by the Permanent Secretary for Home and Youth Affairs, Ms Shirley Lam, at the meeting:

Madam Chairperson, members of the Committee, ladies and gentlemen,

I am honoured to have this opportunity to speak on the implementation of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in the Hong Kong Special Administrative Region (HKSAR) of the People's Republic of China.

The HKSAR has all along been implementing CEDAW in accordance with the provisions of the Basic Law and the local laws, including the four pieces of anti-discrimination legislation.

An overview

Women make up 54 per cent of Hong Kong's population and the HKSAR Government has all along been committed to promoting women's development and providing support to women.

Girls and women in education

All the legislative efforts, together with a free, universal and compulsory 12-year education that we offer to all children, equip girls with wings to fly high, and women with tools to excel in family, career and social life.

Today, nearly 80 per cent of females aged 15 or above in Hong Kong have attained secondary education or above, and females now account for more than half of our student enrolments in undergraduate programmes and over 60 per cent of the students in taught postgraduate programmes.

Women in workplace

Women in Hong Kong nowadays are not only free to choose to work in the labour market, but are also taking high positions.

Using the Civil Service as an example, women are now filling more senior positions. Twelve of our 18 Permanent Secretaries, the highest civil servant positions in the Government, and around 40 per cent of all directorate officers are women. In the Judiciary, more than one-third of our judges and judicial officers are women. These figures, comparing to 2014 when we last reported to the Committee, have all increased significantly. Looking at the private businesses, we see women in Hong Kong breaking the glass ceiling and attaining success - More than 30 per cent of management positions, 50 per cent of public accountants, and 51 per cent of solicitors are now women.

Key development since 2014

There are more positive changes for Hong Kong women since 2014. We have since amended our Sex Discrimination Ordinance to provide protection against harassment of breastfeeding women. We have since raised our gender benchmark for appointment to

government advisory and statutory body to 35 per cent from the previous 25 per cent. We have also extended the maternity leave from 10 weeks to 14 weeks.

The Chief Executive of the HKSAR announced in his 2022 Policy Address that we will set up a Women Empowerment Fund to support women in balancing job and family commitments. The Government has further decided to set aside HK\$100 million (approximately US\$13 million) in the 2023-24 Budget to promote women's development further.

The 2019 riot

Chairperson and members, apart from celebrating Hong Kong women's achievements in the past decade, I would also like to take the chance to address certain comments against the HKSAR in some NGO (non-governmental organisation) submissions to the Committee. Many of the statements in these submissions are based on false information and distorted narratives regardless of the truth, with flawed comments on the situation in Hong Kong.

The Hong Kong community was traumatised during the serious violence in 2019 arising from the opposition to a proposed legislative amendment exercise. The scale and level of violent illegal acts were unprecedented. The opposition forces and organisations advocating "Hong Kong Independence" and "self-determination" blatantly challenged the authority of the Central Authorities and the HKSAR Government, pleaded for interference in Hong Kong's affairs by external forces and even begged for sanctions against Hong Kong.

It is in light of this chaotic context that our Police have taken professional and necessary actions to protect citizens' lives and safety, and that there is a necessity to enact the Hong Kong National Security Law (NSL). I must also rebut two false claims that certain NGOs have presented to the Committee in this respect.

Rebuttal of "gender-based violence" by Police

First, on the so-called "gender-based violence" alleged to be committed by our Police during the serious violence in 2019, we strongly oppose such ungrounded narratives. An example of such baseless claims was that a screenshot of a French movie was edited and turned into a poster to fabricate sexual assault allegations against the Police. I must stress that Hong Kong is a society that upholds the rule of law. When someone breaks the law, police officers are duty-bound to arrest them and bring them to justice. No one, including the Police, is above the law.

The two-tier police complaint handling mechanism is operating effectively to ensure that every complaint against the Police is handled in a fair and impartial manner. The Complaints Against Police Office and the Independent Police Complaints Council handle cases with a serious and professional attitude to protect victims who are genuinely abused.

Rebuttal of NSL interfering with women's political rights

Second, I wish to respond to the malicious claim that the NSL has interfered with women's political rights. Following the implementation of the NSL, chaos stopped and stability has been restored in Hong Kong, allowing the enjoyment of rights and freedoms which many people in the HKSAR had been unable to enjoy during the period of serious violence between June 2019 and early 2020. The NSL clearly stipulates that human rights shall be respected and protected in safeguarding national security in the HKSAR. All law enforcement actions taken by Hong Kong law enforcement agencies under the NSL, or indeed any local legislation, are based on evidence, strictly in accordance with the

law and for the acts of the people and entities concerned, and have nothing to do with their political stance, background, occupation, or gender.

Indeed, many Hong Kong people could tell you from their own experience that the implementation of the NSL has effectively ended the chaotic situation in Hong Kong in the 10 months or so since June 2019. Thanks to the implementation of the NSL, livelihood has returned to normal while economy revived. The HKSAR Government will continue to resolutely carry out its duties and obligations to safeguard national security and, at the same time, protect the rights and freedoms that Hong Kong residents enjoy, ensuring the steadfast and successful implementation of the "one country, two systems" principle.

#### Conclusion

The HKSAR Government would continue to dedicate resources to promote the realisation of women's due status, rights and opportunities in all aspects of life. We will also continue to firmly dispel any unfounded and false allegations against the situation in Hong Kong. Last but not least, I would like to thank Madam Huang Xiaowei for her leadership in the Chinese delegation and must also thank you for your interest in and observations on our Government's Fourth Report submitted in 2018. We look forward to sharing with you more about our efforts in our dialogues later today.

Ends/Friday, May 12, 2023  
Issued at HKT 17:00

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## Press Releases

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HKSAR Government delegation addresses concerns on situation of women's development in Hong Kong raised at meetings of UN Committee on Elimination of Discrimination against Women

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The Hong Kong Special Administrative Region (HKSAR) Government delegation, as part of the Chinese delegation, attended the meetings of the United Nations Committee on the Elimination of Discrimination against Women held yesterday (May 12, Geneva time). The HKSAR delegation introduced to the Committee the parts relevant to HKSAR in the ninth report submitted by China according to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and responded to the questions of the Committee.

A Government spokesperson said today (May 13), "The HKSAR Government delegation led by the Permanent Secretary for Home and Youth Affairs, Ms Shirley Lam, introduced the implementation of the CEDAW in the HKSAR and emphasised the full commitment of the Government to protect women against all forms of discrimination, injustice or violence. The delegation also answered the Committee's questions, addressed the Committee's concerns about the human rights situation and women's development in the HKSAR."

The Hong Kong National Security Law

"In response to the Committee's concerns on the Hong Kong National Security Law (NSL), the delegation clearly pointed out that Article 4 of the NSL clearly stipulates that human rights shall be respected and protected in safeguarding national security in the HKSAR; the rights and freedoms which the residents of the HKSAR enjoy under the Basic Law and the provisions of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights as applied to Hong Kong, shall be protected in accordance with the law. Any measures or enforcement actions taken under the NSL must observe the above principle. Hence, the rights and freedoms under the CEDAW are fully protected in Hong Kong."

Legal status of CEDAW

"Regarding the Committee's questions on the legal status of the CEDAW in Hong Kong, the delegation pointed out that the provisions in the CEDAW are implemented by a wide range of legislative and administrative measures, such as the Sex Discrimination Ordinance (Cap. 480), the Domestic and Cohabitation Relationships Violence Ordinance (Cap. 189), the Women's Commission (WoC) and the Equal Opportunities Commission (EOC). These legislative and administrative measures are effective in guaranteeing the Convention rights to women in Hong Kong."

Participation of women in political and public order events

"The delegation stressed that Article 26 of the Basic Law stipulates that all permanent residents of the HKSAR shall have the right to vote and the right to stand for election in accordance with law. In HKSAR, women enjoy equal rights as men to vote in and stand for various public elections of the governance structure. Under the relevant legislation, a person's gender is not a criterion, whether direct or indirect, to vote in or stand for elections."

"On the other hand, Hong Kong residents' freedoms of assembly and procession are fully protected by the Basic Law and the Hong Kong Bill of Rights. However, like any other jurisdictions, such



rights are not absolute or unrestricted. One must observe the law when exercising his/her right of peaceful assembly. The Police have been handling public order events in accordance with the Public Order Ordinance and relevant laws, and will make comprehensive assessment of individual public order events to consider whether to issue a Letter of No Objection and impose corresponding conditions with regard to a public order event. If there is any illegal or violent act, the Police are duty bound to take appropriate actions to restore public safety and public order."

#### Foreign domestic helpers

"Regarding the Committee's concern about the change of employer of foreign domestic helpers (FDHs). The Government fully respects the rights of FDHs. Same as local workers, FDHs are protected under the Employment Ordinance. Additional benefits are also given under a Government-prescribed Standard Employment Contract. Under the Immigration Department (ImmD)'s prevailing policy, FDHs can terminate their contract and apply for change of employer, but they should leave Hong Kong and submit a fresh visa application. In exceptional circumstances such as migration of the original employer, abuse or exploitation experienced by the FDH, FDHs may apply to the ImmD for change of employer without first leaving Hong Kong. Save for the above exceptional circumstances, an application from an FDH for change of employer in Hong Kong within the two-year contract period will normally not be approved. The policy does not preclude FDHs from working in Hong Kong again after returning to their place of origin, and has allowed sufficient flexibility to cater for exceptional circumstances."

#### Women's participation in the work of judiciary

"Regarding the Committee's questions concerning women's participation in the work of judiciary, the delegation pointed out that Article 92 of the Basic Law provides that judges and others members of the judiciary of the HKSAR shall be chosen on the basis of their judicial and professional qualities and may be recruited from other common law jurisdictions. Gender is not a relevant consideration in judicial appointment."

#### Non-discrimination

"The delegation stressed that the Government in conjunction with the EOC reviews the operation of the four anti-discrimination Ordinances on a regular basis and put forward legislative amendment proposals where necessary. The Government enacted the Discrimination Legislation (Miscellaneous Amendments) Ordinance 2020 in June 2020 to take forward some of the EOC's recommendations with a view to enhancing protection against discrimination and harassment under the four anti-discrimination Ordinances, which includes prohibiting such acts as discrimination of breastfeeding women as well as harassment between participants in a common workplace."

"The Government also separately introduced a legislative proposal to amend the Sex Discrimination Ordinance to provide protection against harassment of breastfeeding women. The Sex Discrimination (Amendment) Ordinance 2021 was passed by the Legislative Council in March 2021 to strengthen the legal protection for breastfeeding women, whereby discrimination and harassment on the ground of breastfeeding are prohibited with effect from June 2021."

"The Government will examine the EOC's other recommendations taking into account the actual situation of Hong Kong while maintaining close communication with the EOC."

#### Work of the WoC

"To respond to the Committee's questions concerning the powers of the WoC as well as the resources allocated to it, the delegation highlighted the fact that the WoC is tasked to advise the Government on issues related to women, with a view to promoting advancement of women. Under the support of the WoC, the Government has adopted a multi-pronged strategy, thereby achieving continuous progress in the work in promoting the welfare and the rights and interests of women. To further support women in Hong Kong, the Chief Executive announced in the 2022 Policy Address the establishment of the Women Empowerment Fund (WEF) to subsidise community projects that support women in balancing job and family commitments, and unleashing their potential. The Financial Secretary further set aside \$100 million in the Budget to strengthen support for women's development. Starting from 2023-24, the Government will use this additional provision to increase the annual funding for the WEF from \$10 million to \$20 million. The WEF will subsidise women's organisations and relevant non-governmental organisations for launching appropriate projects to support women."

"Moreover, the WoC created the Gender Mainstreaming Checklist, which assisted Government departments to more systemically adopt gender mainstreaming by answering a series of straightforward questions. Since April 1, 2015, all Government bureaux and departments shall refer to the Checklist and apply gender mainstreaming when formulating major government policies and initiatives."

The delegation emphasised to the Committee that women in Hong Kong will be free from all forms of discrimination, injustice or violence as always. Following the conclusion of the meeting in Geneva, the Committee will issue its Concluding Observations in end of May 2023.

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*(Note: this document only contains extracts of paragraphs concerning the HKSAR)*

**Committee on the Elimination of Discrimination  
against Women**

**Concluding observations on the ninth periodic report of  
China\***

1. The Committee considered the ninth periodic report of China ([CEDAW/C/CHN/9](#), [CEDAW/C/CHN-HKG/9](#), [CEDAW/C/CHN-MAC/9](#)) at its 1977th and 1978th meetings ([CEDAW/C/SR.1977](#) and [CEDAW/C/SR.1978](#)), held on 12 May 2023.

**A. Introduction**

2. The Committee appreciates the submission by the State party of its ninth periodic report, as well as the State party's written replies to the list of issues and questions raised by the pre-sessional working group in relation to the ninth periodic report ([CEDAW/C/CHN/RQ/9](#)). It also appreciates the State party's follow-up report to the previous concluding observations of the Committee ([CEDAW/C/CHN/CO/7-8/Add.1](#)). It welcomes the oral presentation by the delegation and the further clarifications provided orally and in writing in response to the questions posed by the Committee during the dialogue.

3. The Committee commends the State party on its high-level delegation, which was headed by the Her Excellency Ms. HUANG Xiaowei, Vice Chairperson, National Working Committee on women and Children under State Council, and included the Social Development Committee of the National People's Congress, the Supreme People's Court, the Organisation Department of the CPC Central Committee, the Information Office of the State Council, the United Front Work Department of the CPC Central Committee, the Ministries of Foreign Affairs, Education, Public Security, Civil Affairs, Justice Human Resources and Social Security, the National Ethnic Affairs Commission, the National Health Commission, the National Bureau of Statistics, and the National Administration for Disease Prevention and Control. The delegation also included members from Hong Kong SAR, China and Macao SAR, China.

## **E. Principal areas of concern and recommendations: all parts of China**

### **Women's rights and gender equality in relation to the pandemic and recovery efforts**

9. The Committee welcomes the adoption of policies and guidelines for institutions to ensure the accessibility of maternal health services during the coronavirus disease (COVID-19) pandemic, the implementation of a programme to support women to recover from the socio-economic impacts of the pandemic, and the issuance of guidance on the coronavirus disease (COVID-19) pandemic prevention and control for elderly women and women with disabilities. However, the Committee is concerned that measures taken to contain the pandemic, such as restrictions on freedom of movement have disproportionately restricted women's and girls' access to justice, shelters, education, employment and health care, including sexual and reproductive health services.

10. **The Committee, in line with its guidance note on the obligations of States parties to the Convention in the context of COVID-19, issued on 22 April 2020, recommends that the State party:**

(a) **Implement institutional, legislative and policy measures to redress long-standing inequalities between women and men and to give renewed impetus to the achievement of gender equality by placing women at the centre of COVID-19 recovery strategies as a strategic priority for sustainable change, in line with the Sustainable Development Goals;**

(b) **Ensure that, in the context of post-crisis recovery plans, women and girls are not relegated to stereotypical gender roles;**

(c) **Ensure the equal participation of women and girls, including disadvantaged and marginalized groups of women, in the design and implementation of COVID-19 recovery programmes;**

(d) **Ensure that women and girls benefit equally from stimulus packages, including financial support for unpaid care work, aimed at mitigating the socioeconomic impact of the pandemic.**

### **Legal status of the Convention and ratification of the Optional Protocol thereto**

11. The Committee notes with appreciation the effort of consolidation of the legal framework on women's rights, in particular the adoption of the Law on Protection of Women's rights, and the engagement of the State party to reinforce the empowerment of women. The Committee remains concerned that the Convention is not directly applicable in the national courts of the State party and, as a result, its provisions have not been directly invoked nor applied in court proceedings. It is also concerned about the lack of information on cases brought to the courts or raised through other dispute resolution mechanisms, in which the Convention has been invoked. The Committee is further concerned that the State party has not yet ratified the Optional Protocol.

12. **The Committee reiterates its previous recommendation ([CEDAW/C/CHN/CO/7-8](#), para. 11) that the State party:**

(a) **Ensure that the provisions of the Convention are fully integrated into the national legal system, including by amending or repealing legislative provisions that are incompatible with the principles of equality and non-discrimination, and make the Convention a reference in the definition and implementation of the Agenda 2030, as well as in the international cooperation strategy of the State;**

(b) **Ensure that the Convention and general recommendations are made an integral part of systematic capacity-building for all judges with a view to enabling them**

to directly apply the provisions of the Convention and interpret national legal provisions in the light of the Convention, as well as of regular training for prosecutors, lawyers, police officers and other law enforcement officials, as well as government officials;

(c) Ratify the Optional Protocol to the Convention and train members of the judiciary, legal professionals and law enforcement officers on the Committee's jurisprudence under the Optional Protocol;

(d) Ensure that the White Paper on China's International Development Cooperation in the New Era mandates the fundamental guarantees of the Convention.

## **G. Principal areas of concern and recommendations: Hong Kong Special Administrative Region, China**

### **Reservations**

61. The Committee notes with concern that the State party continues to maintain reservations to articles 4, 11 (2), 14, and 15 of the Convention, in respect of Hong Kong Special Administrative Region, China.

62. The Committee reiterates its recommendation that the State party consider withdrawing its reservations to articles 11 (2), 14 and 15 applicable to Hong Kong Special Administrative Region, China.

### **Legislative framework**

63. The Committee notes with appreciation the legislative reforms in Hong Kong SAR, China. It notes with concern, however, that the legislative framework to protect women's human rights and promote gender equality needs to be strengthened and the failure to adopt legislation on sexual orientation discrimination, gender expression discrimination, discrimination based on physical characteristics, as recommended by the Equal Opportunities Commission. It further notes with concern the retention of the "small house policy" where a male descendant of indigenous villagers of the New Territories have access to benefits that are not available to the women in the community.

64. The Committee recommends that Hong Kong SAR, China, strengthen the legislative framework to protect women's human rights, including by amending the Sex Discrimination Ordinance and:

(a) Amend the provisions to introduce a positive obligation for employers to take measures to prevent and respond to sexual harassment in the workplace; and take steps to provide victims of gender-based violence with prompt and effective access to a remedy;

(b) Repeal the provisions which require proof of intention to discriminate in order to obtain damages for indirect discrimination;

(c) Adopt legislation on sexual orientation discrimination, gender expression discrimination, and discrimination based on physical characteristics, as recommended by the Equal Opportunity Commission;

(d) Ensure that the small house policy should be applied in a way that does not discriminate against women.

**Machinery for the advancement of women**

65. The Committee welcomes the increase of resources for the Women's Commission by 27.4% from 2011-12 to 2017-18. It notes with concern, however, the Women's Commission weak mandate to promote the advancement of women in Hong Kong SAR, China.

66. **Recalling the guidance provided in the Beijing Platform for Action, in particular regarding the conditions necessary for the effective functioning of national machineries, the Committee recommends that Hong Kong SAR, China:**

(a) **Allocate adequate human, technical and financial resources to the Women's Commission and enable it to monitor and publicly report on the women's human rights;**

(b) **Strengthen cooperation of the Women's Commission with independent women's rights organizations;**

(c) **Develop an action plan on women's rights and gender equality to guide Hong Kong SAR, China, in promoting substantive equality of women and men across all sectors, which defines time-bound indicators, targets and an adequate monitoring and accountability framework, including public reporting requirements;**

(d) **Strengthen the provision of capacity-building for public officials, including by developing comprehensive guidelines for gender mainstreaming across government policies and for gender-responsive budgeting.**

**Temporary special measures**

67. The Committee notes with concern the absence of temporary special measures to accelerate the achievement of substantive equality between women and men.

68. **In line with article 4 (1) of the Convention and its general recommendation No. 25 (2004) on temporary special measures, the Committee recommends that Hong Kong SAR, China:**

(a) **Promote understanding of the non-discriminatory nature of temporary special measures among public officials, parliamentarians, policymakers, employers and the general public;**

(b) **Adopt temporary special measures, such as regulatory instruments, policies and practices, outreach and support programmes, allocation of resources, preferential treatment, targeted recruitment, hiring and promotion of women, and establish time-bound targets, as a necessary strategy to accelerate the achievement of substantive equality between women and men in all areas covered by the Convention where women are underrepresented or disadvantaged, including participation in political and public life;**

(c) **Monitor the implementation of temporary special measures, assess their impact on achieving substantive equality between women and men, systematically collect data on the impact of temporary special measures and include such data in its next periodic report.**

**Gender-based violence against women**

69. The Committee notes the work of Law Reform Commission in Hong Kong SAR, China, and various proposals for the reform of legislation that governs sexual offences, including the definition of rape. The Committee is, however, concerned that Hong Kong SAR, China, has not yet reviewed its legislation, including the Crimes Ordinance, the Law

concerning sexual offences involving children and persons with mental impairment, and the Law concerning miscellaneous sexual offences.

70. **Recalling its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, the Committee recommends that Hong Kong SAR, China:**

(a) **Urgently submit to the parliament for adoption draft legislation on sexual offences that incorporates a definition of rape, which is based on lack of consent, covers any non-consensual sexual act, and takes into account all coercive circumstances, in line with international human rights standards;**

(b) **Encourage reporting of all forms of gender-based violence against women, including domestic and sexual violence, as well as cyberviolence and stalking, including by establishing special gender-responsive units in police stations to receive and register women's complaints and by adopting and adequately funding a witness protection programme;**

(c) **Increase the number of women judges, prosecutors and police officers and provide capacity-building to the judiciary, the police and other law enforcement officers on the strict application of relevant criminal law provisions and on gender-sensitive investigation and interrogation methods;**

(d) **Adequately fund victim support services and a sufficient number of shelters run by non-governmental organizations and ensure their accessibility;**

(e) **Adopt harmonized protocols for the collection of data on incidents of gender-based violence against women, in coordination with the Census and Statistics Department, disaggregated by form of violence, age, region, disability and relationship between the victim and the perpetrator.**

#### **Trafficking and exploitation of prostitution**

71. The Committee takes note of the promulgation of the Action Plan to Tackle trafficking in persons and to Enhance Protection of Foreign Domestic Helpers in Hong Kong. It notes with concern, however, that the State party has not yet extended the applicability of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Palermo Protocol) to Hong Kong SAR, China; the lack of comprehensive anti-trafficking legislation applicable in Hong Kong SAR, China; and that Hong Kong SAR, China, has not repealed legislative provisions on "vice establishment", which compel women in prostitution to work alone in isolated settings, where they are exposed to a high risk of abuse, exploitation and violence.

72. **The Committee reiterates its previous recommendations (CEDAW/C/CHN/CO/7-8, para. 57) that the State party consider extending the applicability of the Palermo Protocol to Hong Kong SAR, China, and that Hong Kong SAR, China:**

(a) **Adopt comprehensive anti-trafficking legislation;**

(b) **Intensify efforts aimed at bilateral, regional and international cooperation to prevent trafficking, including by exchanging information and harmonizing legal procedures to prosecute traffickers;**

(c) **Repeal legislative provisions on "vice establishment" and afford enhanced protection to women in prostitution as well as exit programmes and alternative income-generating opportunities for women who wish to leave prostitution.**

**Participation in political and public life**

73. The Committee notes with concern women's low representation in the political life in Hong Kong SAR, China, where women account for only 18 per cent of the members of the Legislative Council, the Executive Council and the Office of the Chief Executive. It is concerned that not a single Hong Kong woman has been appointed as a permanent Justice on the Court of Final Appeal. It is further concerned that the annual Labour and Women's Rights and Gender Equality March could not take place in 2023 purportedly for security reasons.

74. **The Committee reiterates its previous recommendation (CEDAW/C/CHN/CO/7-8, para. 59) and recommends that Hong Kong SAR, China:**

(a) **Adopt concrete measures, including the introduction of temporary special measures, in accordance with article 4 (1) of the Convention and the Committee's general recommendation No. 25 and general recommendation No. 23, such as the adoption of minimum quota or of a parity system, to promote women's representation in political life;**

(b) **Take into consideration the paramount importance of the right of peaceful assembly and refrain from over-prioritizing public order and security concerns when considering restrictions on democratic manifestations such as the annual Labour and Women's Rights and Gender Equality March.**

**Employment**

75. The Committee notes the extension of paternity leave from 3 to 5 days, and of maternity leave from 10 to 14 weeks in Hong Kong SAR, China. However, it notes with concern the persistent gender pay gap despite the inclusion of the principle of equal pay for work of equal value in the Sex Discrimination Ordinance (SDO) and the issuance of guidelines for employers to enhance their understanding on the concept.

76. **The Committee recommends that Hong Kong SAR, China, increase its efforts to eliminate the persistent gender wage gap, including by undertaking regular gender pay reviews in all occupational sectors, including the public service, in cooperation with employers' associations and trade unions, applying gender-sensitive analytical job classification and evaluation methods.**

**Women migrant domestic workers**

77. The Committee notes with concern congruent reports that women migrant domestic workers continue to face intersecting forms of discrimination based on sex and/or gender and ethnic background in Hong Kong SAR, China. It also notes with concern that women migrant domestic workers continue to be subjected to:

(a) Exploitation and unfavourable working conditions, including exploitatively low wages;

(b) Abusive practices of recruitment and placement agencies, which charge exorbitant fees and sometimes confiscate passports and travel documents;

(c) The two-week rule, which requires them to leave Hong Kong SAR, China, upon completion of their contracts or within two weeks from the date of termination of their contract, whichever is earlier;

(d) The live-in rule, which requires women migrant domestic workers to live with their employers; and

(e) That according to a recent policy, applications for a change of employer during the first two years of a contract will not be approved save in cases of abuse or exploitation.



78. The Committee reiterates its previous recommendation ([CEDAW/C/CHN/CO/7-8](#), para. 65) and recommends that Hong Kong SAR, China:

(a) Strengthen legal safeguards to protect women migrant domestic workers from discrimination and abuse by employers and recruitment and placement agencies, including by increasing labour inspections to private households, and effectively investigate and punishing exploitative and abusive practices of employers;

(b) Consider extending the two-week rule to ensure that women migrant domestic workers whose contracts have been terminated have sufficient time to search alternative employment or file claims for unpaid salaries against their former employers;

(c) Repeal the live-in rule or ensure that it is available on an optional basis;

(d) Harmonize legislation with the Domestic Workers Convention, 2011 (No. 189) of the International Labour Organization;

(e) Ensure that complaints filed by migrant domestic workers regarding abuse or exploitation are followed up without delay by labour inspection authorities.

#### **Disadvantaged groups of women**

79. The Committee takes note of the measures taken to promote equal opportunities for lesbian, bisexual, transgender and intersex women, including non-discrimination in the workplace. It nevertheless notes with concern that lesbian, transsexual and transgender women and girls in Hong Kong SAR, China, continue to face intersecting forms of discrimination, in particular in accessing education, employment and health services.

80. The Committee reiterates its previous recommendation ([CEDAW/C/CHN/CO/7-8](#), para. 69) and recommends that Hong Kong SAR, China, continue its efforts to combat intersecting forms of discrimination against lesbian, transsexual and transgender women in employment, education and in accessing health services.

## **I. Applicable to all parts of China**

### **Beijing Declaration and Platform for Action**

85. The Committee calls upon the State party to use the Beijing Declaration and Platform for Action and to further evaluate the realization of the rights enshrined in the Convention in order to achieve substantive equality between women and men.

### **Dissemination**

86. The Committee requests the State party to ensure the timely dissemination of the present concluding observations, in the de facto official languages of the State party, to the relevant State institutions at all levels (national, regional and local), in particular to the Government, the Parliament and the judiciary, to enable their full implementation.

### **Ratification of other treaties**

87. The Committee notes that the adherence of the State party to the nine major international human rights instruments would enhance the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. The Committee therefore encourages the State party to ratify the Convention for the Protection of All Persons from

Enforced Disappearance and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, to which it is not yet a party.

**Follow-up to the concluding observations**

88. The Committee requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 12 (a), 36 (c), 42 (d), and 70 (a) above.

**Preparation of the next report**

89. The Committee will establish and communicate the due date of the tenth periodic report of the State party in line with a future predictable reporting calendar based on an eight-year review cycle and following the adoption of a list of issues prior to reporting, if applicable, for the State party. The report should cover the entire period up to the time of its submission.

90. The Committee requests the State party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents ([HRI/GEN/2/Rev.6](#), chap. I).

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## **Press Releases**

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Government's response to Concluding Observations made by UN  
Committee on Elimination of Discrimination against Women

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A spokesperson for the Home and Youth Affairs Bureau said today (May 31) that the United Nations Committee on the Elimination of Discrimination against Women has issued its Concluding Observations on the fourth report of the Hong Kong Special Administrative Region (HKSAR), which formed part of the ninth periodic report of the People's Republic of China (PRC), under the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Since the extension of the CEDAW to Hong Kong in 1996, the HKSAR has been implementing the CEDAW through the provisions of the Basic Law and local laws, complemented and supplemented by the necessary administrative measures.

"We note that the Committee appreciates that the PRC as a State Party submitted its ninth periodic report, including the HKSAR's fourth report. The Committee also appreciates the written replies to the list of issues and questions, and welcomes the high-level Chinese delegation which participated in the dialogue at its meeting held in Geneva, Switzerland, on May 12 (Geneva time). The delegation made oral presentation and provided further clarification in response to the oral questions posed by the Committee," the spokesperson said.

The delegation comprised, among others, interdepartmental representatives from the HKSAR headed by the Permanent Secretary for Home and Youth Affairs, Ms Shirley Lam. The delegation attended the Committee's meeting in Geneva on May 12. The Concluding Observations were published on May 30 (Geneva time).

"In its Concluding Observations, the Committee has noted with appreciation the relevant legislative reform in the HKSAR and welcomed the increase of resources for the Women's Commission. The Committee has also commented and made recommendations on a number of areas, which the HKSAR Government will conscientiously consider and positively respond to as far as practicable, duly taking into account the local circumstances," the spokesperson said. These areas and the HKSAR Government's positions are briefly described as follows.

Reservations

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"With regard to the Committee's view that consideration should be given to withdrawing the PRC's reservation to Article 11(2), Article 14 and Article 15 of the CEDAW which is applicable to the HKSAR, the Government stressed that the Permanent Secretary for Home and Youth Affairs, when attending the Committee's meeting on May 12, reassured the Committee that the HKSAR Government remains fully committed to implementing the provisions of the CEDAW as applied to the HKSAR."

"The PRC has entered seven reservations and declarations on behalf of the HKSAR in the light of the special circumstances in Hong Kong. Justifications for the continuation have been provided to the Committee. The reservation in respect of Article 11(2) reserves the right to apply any non-discriminatory requirement for a qualifying period of employment for the application of the provisions contained in that article. We consider that the existing requirement of a continuous contract for entitlements to maternity leave and maternity leave pay is necessary, taking into account the need to strike a balance between the interests of employers and employees."

"The reservation of Article 14 of the CEDAW allows the HKSAR to continue to implement the small house policy for the New Territories. The Government points out that the Court of Final Appeal of Hong Kong ruled in November 2021 that the small house policy is a lawful traditional right and interest of the indigenous inhabitants of the New Territories protected by Article 40 of the Basic Law. It remains lawful and constitutional despite the fact that it is only applicable to male indigenous inhabitants. Premised on the said court judgement, the Government will continue to implement the small house policy and process each application in accordance with established mechanism."

"As for the reservation of Article 15(4) of the CEDAW, it is necessary for the HKSAR to reserve the right to exercise effective immigration control in respect of persons who do not have a lawful right to enter and remain in Hong Kong. The Government emphasises that the right to liberty of movement and freedom to choose one's residence by Hong Kong residents (regardless of sex) is guaranteed by Article 8 of the Hong Kong Bill of Rights."

#### Legal status of CEDAW

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"In response to the Committee's concern on the legal status of the CEDAW, the Government points out that the right to equality and non-discrimination is guaranteed by Article 25 of the Basic Law and Articles 1 and 22 of the Hong Kong Bill of Rights, all of which are binding on the HKSAR Government. The provisions of the CEDAW are already implemented by a wide range of legislative and administrative measures which are effective in guaranteeing the Convention rights to women in Hong Kong."

#### Non-discrimination

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"As regards the Committee's recommendations on introducing amendments to the Sex Discrimination Ordinance, the Government pointed out that part of the Committee's recommendations have already been implemented. The Government has enacted the Discrimination Legislation (Miscellaneous Amendments) Ordinance 2020 to enhance protection from discrimination and harassment under the four anti-discrimination ordinances, including repealing provisions which require proof of intention to discriminate in order to obtain damages for indirect discrimination. The relevant provisions came into effect on June 19, 2020. The Government in conjunction with the Equal Opportunities Commission will continue to review the operation of the four anti-discrimination ordinances on a regular basis and put forward legislative proposals where necessary."

#### Machinery for advancement of women

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"Regarding the Committee's questions concerning the powers of the Women's Commission (WoC) as well as the resources allocated to it, the Government highlighted the fact that the Chief Executive announced the establishment of the Women Empowerment Fund (WEF) in the 2022 Policy Address to subsidise community projects that support women in balancing job and family commitments, and unleashing their potential. The Financial Secretary further set aside \$100 million in the Budget to strengthen support for women's development. Starting from 2023-24, the Government will use this additional provision to increase the annual funding for the WEF from \$10 million to \$20 million. The WEF will subsidise women's organisations and relevant non-governmental organisations for launching appropriate projects to support women."

"Moreover, the WoC created the Gender Mainstreaming Checklist,

which assisted Government departments to more systemically adopt gender mainstreaming by answering a series of straightforward questions. Since April 1, 2015, all Government bureaux and departments shall refer to the Checklist and apply gender mainstreaming when formulating major government policies and initiatives."

#### Gender-based violence

"With regard to the Committee's concerns regarding gender-based sexual violence against women in Hong Kong, the HKSAR Government has long been committed to combating sexual violence. Various sexual offences including rape, indecent assault, etc, are criminalised under the Crimes Ordinance. Indeed, in order to convey a clear message to the community that there are serious consequences for committing sexual offences, thereby achieving a deterrent effect and protecting possible victims, the HKSAR Government introduced specific offences in October 2021 against image-based sexual abuse such as voyeurism and publication of intimate images without consent. The Law Reform Commission also completed its comprehensive review on existing sexual offences in May 2022, making recommendations involving a major overhaul of the Hong Kong laws on sexual offences. These include a range of gender neutral non-consensual sexual offences; creation of new sexual offences involving children and persons with mental impairment; and reform of miscellaneous sexual offences. The HKSAR Government is studying in detail the recommendations and would make legislative amendment proposals with regard to similar legislative developments in other jurisdictions as and when appropriate."

#### Trafficking and exploitation in regard to prostitution

"In response to the Committee's concerns for the 'lack of comprehensive anti-trafficking legislation' and 'non-applicability of the Palermo Protocol to the HKSAR', the HKSAR Government would like to stress that human trafficking is never tolerated in Hong Kong. Proactive and multipronged efforts have been made to combat trafficking-in-persons (TIP) and to enhance the protection and well-being of foreign domestic helpers (FDHs) in Hong Kong. Hong Kong has a well-established legislative framework with over 50 legal provisions against various TIP conducts. This forms a comprehensive package of safeguards comparable to composite TIP laws in other jurisdictions. These legal provisions generally cover all the criminal offences as defined in the Palermo Protocol, in which some of the offences attract penalty of up to life imprisonment."

"As for the Committee's concern on the legislation related to the operation of vice establishment, the Government points out that under the existing law, the act of prostitution itself is not illegal. Police anti-vice operations are targeted at persons controlling sex workers and those operating vice establishments, not sex workers themselves. This arrangement strikes a reasonable balance between the human rights and privacy of sex workers on the one hand, and the well-being of other members of the community and the prevailing moral values in the community on the other. It also helps contain the opportunity for organised exploitation of sex workers."

#### Women's participation in political and public life

"In response to the Committee's concern for women's participation in political and public life, the Government points out that Article 26 of the Basic Law stipulates that all permanent residents of the HKSAR shall have the right to vote in and the right to stand for election in accordance with the law. In the

HKSAR, women enjoy equal rights as men to vote in and stand for various public elections. Under the relevant legislation, a person's gender is not a criterion, whether direct or indirect, to vote in or stand for elections. Article 55 of the Basic Law also stipulates that members of the Executive Council of the HKSAR shall be appointed by the Chief Executive from among the principal officials of the executive authorities, Members of the Legislative Council and public figures. They shall be Chinese citizens who are permanent residents of the HKSAR with no right of abode in any foreign country. Appointments to the Executive Council adhere to the requirements of the Basic Law and are made taking into account an individual's ability, expertise, experience, integrity and commitment to public service, regardless of gender."

"Article 92 of the Basic Law provides that judges and other members of the judiciary of the HKSAR shall be chosen on the basis of their judicial and professional qualities and may be recruited from other common law jurisdictions. The professional qualifications for appointment as judges and judicial officers at different levels of courts are set out in the respective ordinances. Gender is not a relevant consideration."

"On the other hand, Hong Kong residents' freedoms of assembly and procession are fully protected by the Basic Law and the Hong Kong Bill of Rights. However, like any other jurisdictions, such rights are not absolute or unrestricted. One must observe the law when exercising his/her right of peaceful assembly. The Police have been handling public order events in accordance with the Public Order Ordinance and relevant laws, and will make comprehensive assessment of individual public order events to consider whether to issue a Letter of No Objection and impose corresponding conditions with regard to a public order event. If there is any illegal or violent act, the Police are duty-bound to take appropriate actions to restore public safety and public order."

Female foreign domestic workers  
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"Regarding the Committee's concern for the working condition of female FDHs and the protection accorded to them, the Government is committed to safeguarding the welfare of FDHs. FDHs are offered statutory protection under the Employment Ordinance as well as additional benefits in accordance with a Government-prescribed Standard Employment Contract. The latter stipulates, amongst others, the Minimum Allowable Wage for FDHs. The Government does not tolerate any exploitation or abuse of FDHs. Under the Employment Ordinance, offences such as overcharging commission from job seekers and underpayment of wages are subject to a maximum penalty of HK\$ 350,000 and imprisonment for three years. The Code of Practice for Employment Agencies also clearly stipulates that employment agencies (EAs) shall not retrieve or withhold any personal property, including but not limited to a job seeker's passport, personal identification document, etc. Government authorities have conducted regular and surprise inspections of EAs. We investigate each and every complaint case (including complaints against employers) promptly and prosecute cases where there is sufficient evidence. From 2018 to April 2023, the Labour Department has successfully prosecuted 41 EAs. FDHs who consider their employments rights infringed should report to Government authorities promptly."

"Under the Immigration Department (ImmD)'s prevailing policy, FDHs can terminate their contract and apply for change of employer, but they should leave Hong Kong and submit a fresh visa application. In exceptional circumstances such as migration of the original employer, abuse or exploitation experienced by the FDH, FDHs may apply to the ImmD for change of employer without first leaving Hong Kong."

"As for the 'live-in requirement', it underpins the long-established Government policy that priority in employment should be given to the local workforce and importation of workers will only be allowed when there is proven manpower shortage in specific trades that cannot be filled by local workers. It is along this policy objective that live-in FDHs have been imported since the 1970s to meet the shortage of local live-in domestic helpers. Besides, the 'two-week rule' is essential for maintaining effective immigration control (including preventing illegal employment). It does not obstruct FDHs from applying to work in Hong Kong again after returning to their places of origin and has allowed sufficient flexibility to cater for exceptional circumstances."

Sexual minorities  
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"In response to the Committee's recommendation to continue the HKSAR Government's efforts to combat discrimination against lesbian, transsexual and transgender women, the Government reaffirmed its commitment to promoting equal opportunities for all and eliminating all forms of discrimination including discrimination on the grounds of sexual orientation and gender identity. The HKSAR Government is committed to promoting the message of inclusiveness, mutual respect and non-discrimination for people of different sexual orientations and transgender persons through various channels."

The Committee will inform the PRC on the due date of submitting its next report under the CEDAW at a later stage. It will contain the next (fifth) report of the HKSAR Government which will set out, among others, the detailed response to the Committee's Concluding Observations. In the interim, the HKSAR Government will provide the necessary information in accordance with the Committee's request by May 2025.

The spokesperson reaffirmed that the HKSAR Government will continue to further promote the realisation of women's due status, rights and opportunities in all aspects of life, in a continuing process of faithfully implementing the CEDAW.

The Committee's Concluding Observations will be uploaded to the Home and Youth Affairs Bureau's website at [www.hyab.gov.hk](http://www.hyab.gov.hk).

Ends/Wednesday, May 31, 2023  
Issued at HKT 16:00

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## **Press Releases**

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HKSAR Government delegates to attend meetings of UN Committee on the Elimination of Discrimination against Women

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A delegation representing the Hong Kong Special Administrative Region (HKSAR) Government will attend the meetings of the United Nations Committee on the Elimination of Discrimination against Women in Geneva, Switzerland, on May 12 (Geneva Time).

A Government spokesman said today (May 9) that as part of the Chinese delegation, the HKSAR Government delegation will introduce to the Committee the part of China's ninth report under the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) that is related to the HKSAR, and answer the Committee's questions on the implementation of the CEDAW in the HKSAR.

"This is the fourth time the Committee has examined a report submitted by the HKSAR under the CEDAW since 1999. The previous round of hearing was held in October 2014," the spokesman added.

The Government spokesman stressed, "The HKSAR Government will continue to protect women against all forms of discrimination, injustice or violence in accordance with the CEDAW. Since the last hearing, the room for development for women in Hong Kong has been continuously expanding. The current-term Government attaches great importance to the contribution of women to society and the work of supporting women, and established the Women Empowerment Fund to subsidise community projects that support women in balancing job and family commitments and unleashing their potential. We have also set aside \$100 million to strengthen support for women's development. As always, we will resolutely and clearly explain to the international community the progress made in women's development in Hong Kong, and strive to do our best in publicity work."

The Government spokesman continued, "While the objective of the CEDAW is to safeguard women's right, remove barriers and gender stereotypes against women and ensure the full development of women, we noticed that some Non-Governmental Organisations (NGOs), many of which are not based in Hong Kong, have made submissions to the Committee that are highly politically charged. Many of the statements in these submissions are based on false information and distorted narratives regardless of the truth, with flawed comments on the human rights situation in Hong Kong. The HKSAR delegation will make cogent clarification and stern rebuttals to any vilification at the hearing."

Meanwhile, the Government spokesman was aware of the untruthful biased commentary regarding the implementation of the Hong Kong National Security Law (NSL) and the handling of the 2019 riot presented at the informal meeting between the Committee and NGOs yesterday (May 8) in Geneva. The Government spokesman strongly refuted and reiterated that, following the implementation of the NSL, chaos stopped and stability has been restored in Hong Kong, allowing the enjoyment of rights and freedoms which many people in the HKSAR had been unable to enjoy during the period of serious violence between June 2019 and early 2020. The NSL clearly stipulates that human rights shall be respected and protected in safeguarding national security in the HKSAR. The Government spokesman also strongly condemned the vilification and smearing in respect of the so-called "gender-based violence" alleged to be committed by the Police during the serious violence in 2019. When someone breaks the law, Police officers are duty-bound to arrest them and bring them to justice. The two-tier police complaint



handling mechanism is operating effectively to ensure that every complaint against the Police is handled in a fair and impartial manner.

The delegation will be led by the Permanent Secretary for Home and Youth Affairs, Ms Shirley Lam. Members of the delegation include officials from the Home and Youth Affairs Bureau, the Constitutional and Mainland Affairs Bureau, the Security Bureau, the Department of Justice, the Labour Department and the Social Welfare Department.

The fourth report of the HKSAR under the CEDAW and the written response of the HKSAR Government to the List of Issues issued by the Committee are available on the website of the Home and Youth Affairs Bureau ([www.hyab.gov.hk/CEDAW](http://www.hyab.gov.hk/CEDAW)).

Ends/Tuesday, May 9, 2023  
Issued at HKT 19:08

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