

**Sixth Report of
the People's Republic of China
under the Convention Against
Torture and other Cruel,
Inhuman and Degrading Treatment
or Punishment –**

**Part Two:
Hong Kong
Special Administrative Region**

**Third Report of the Hong Kong
Special Administrative Region of the
People's Republic of China
under the Convention Against
Torture and other Cruel,
Inhuman and Degrading Treatment
or Punishment**

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List of abbreviations

CAPO	Complaints Against Police Office
CCDS	Comprehensive Child Development Service
CEASE Centre	Multi-purpose Crisis Intervention and Support Centre
CIC	Castle Peak Bay Immigration Centre
CIS	the Communal Information System of the Hong Kong Police Force
CSD	Correctional Services Department
Customs	Customs and Excise Department
DCRVO	Domestic and Cohabitation Relationships Violence Ordinance
DLS	Duty Lawyer Service
ECDVD	Enhanced Central Domestic Violence Database
ECT	Electro-convulsive therapy
EDB	Education Bureau
FSP	Family Support Programme
HA	Hospital Authority
HAD	Home Affairs Department
HKSAR	Hong Kong Special Administrative Region of the People's Republic of China
ICAC	Independent Commission Against Corruption
IFSCs	Integrated Family Service Centres
ImmD	Immigration Department
IPCC	Independent Police Complaints Council
IPCC Ordinance	Independent Police Complaints Council Ordinance
LegCo	Legislative Council

List of abbreviations

NGOs	Non-governmental organisations
SWD	Social Welfare Department
The Committee	The Committee Against Torture
The Convention	Convention Against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment
The Government	The Government of the HKSAR
The initial report	The initial report of the HKSAR submitted in 1999
The Police	The Hong Kong Police Force
The previous Concluding Observations	The Committee's Concluding Observations on the previous report published in 2009
The previous report	The second report of the HKSAR under the Convention submitted in 2006
The Report	The third report of the HKSAR under the Convention
UNHCR	The United Nations High Commissioner for Refugees
VSP	Victim Support Programme for Victims of Family Violence

Third Report of the Hong Kong Special Administrative Region of the People's Republic of China under the Convention Against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment

Preamble

This report (the Report) is the third report of the Hong Kong Special Administrative Region of the People's Republic of China (HKSAR), under the Convention Against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment (the Convention). It updates the Committee Against Torture (the Committee) on developments since the submission of the second report of the HKSAR (the previous report) in February 2006. It also responds to the Committee's Concluding Observations of 19 January 2009 (the previous Concluding Observations), after the Committee's hearing in respect of the previous report at its 41st session held from 3 to 21 November 2008.

Following the issue of the previous Concluding Observations by the Committee in January 2009, we have widely disseminated them among all levels of society, including the Legislative Council (LegCo), relevant Government bureaux and departments, the Judiciary, non-governmental organisations (NGOs) and other interested parties. They have also been made available to the public through the Government website.

We have undertaken to provide a detailed response to the concerns and recommendations of the Committee expressed in respect of the HKSAR in the Report. In preparing the Report, we have, in accordance with past practice, set out in an outline the broad subject headings and individual topics that we envisaged to be covered in the Report. The outline for consultation was widely issued to stakeholders, including the LegCo and members of the Human Rights Forum, Committee on the Promotion of Racial Harmony, Ethnic Minorities Forum and Children's Rights Forum (which comprise representatives of human rights organisations, ethnic minorities groups, children and youth groups, NGOs and other interested parties), and was available on the Internet. The public were invited to submit during the period from

5 June to 18 July 2012 their views on the Government's implementation of the Covenant in respect of the topics. The public were also invited to suggest additional topics that ought to be included in the Report.

We have carefully considered the views and comments received in drafting the Report. As with the past practice, issues raised by commentators, together with the respective responses of the HKSAR Government where applicable, have been incorporated in the relevant sections of the Report.

As the initial report of the HKSAR submitted in 1999 (the initial report) and the previous report have already contained detailed information on the laws, policies and practices that are in place to ensure Hong Kong's compliance with the Convention and many of them remain unchanged, or have changed only slightly, we have not repeated descriptions or explanations of such in this Report.

The Report will be made available to stakeholders, including the LegCo, members of the abovementioned forums and interested NGOs, and will be distributed to the public at the Public Enquiry Service Centres of the Home Affairs Department (HAD). It will also be accessible to members of the public through public libraries and Government website.

Article 1: Defining “torture”

1.1 The position is as explained in paragraphs 1 to 6 of the initial report, where we discussed the definition of “torture” in section 3 of the Crimes (Torture) Ordinance (Cap. 427 of the Laws of Hong Kong)¹.

1.2 In paragraph 5 of the Concluding Observations of 2009 (the previous Concluding Observations), the Committee recommended that “the HKSAR should consider adopting a more inclusive definition of the term “public official” in the definition of torture as to clearly include all acts inflicted by or at the instigation of or with the consent or acquiescence of all public officials or other persons acting in an official capacity”.

1.3 The position is as explained in paragraph 60 of the previous report, where we advised the Committee that, section 2(1) of the Crimes (Torture) Ordinance defines “public official” as *including* “any person holding in Hong Kong an office described in the Schedule”. The Schedule lists the following –

- “1. An office in the Hong Kong Police Force (the Police).
2. An office in the Customs and Excise Department (Customs).
3. An office in the Correctional Services Department (CSD).
4. An office in the Independent Commission Against Corruption (ICAC).
5. An office in the Immigration Department (ImmD).”

1.4 As elaborated in paragraph 61 of the previous report, the aim of the Crimes (Torture) Ordinance is to cover officials normally involved in the custody or treatment of individuals under any form of arrest, detention or imprisonment. The use of the word “includes” in the definition of “public official” in section 2(1) makes it clear that a person not holding an office described in the Schedule may nevertheless be a “public official” (or a “person acting in an official capacity”) for the purposes of the offence of torture.

¹ Cap. 427 gives effect in domestic law to the relevant provisions of the Convention.

1.5 Paragraph 5 of the previous Concluding Observations also recommended that “the HKSAR ensure that the definition comprises all the elements contained in article 1, including discrimination of any kind”. In paragraph 6 of the previous Concluding Observations, the Committee recommended that the HKSAR should consider abolishing the defence contained in section 3(4) of the Crimes (Torture) Ordinance. It proposed that this could be done, for instance, by incorporating Article 1 of the Convention into its Basic Law.

1.6 The Basic Law is the constitutional document of the HKSAR. It is more appropriate to create the offence of torture in a piece of ordinary legislation. The conduct amounting to the offence of torture under section 3(1) of the Crimes (Torture) Ordinance is wide in scope and is not limited by the purpose of the act committed by the perpetrator. Section 3(1) makes it an offence for a public official or a person acting in an official capacity to inflict severe pain or suffering on another person irrespective of its purpose and irrespective of whether the pain or suffering is inflicted for a reason based on discrimination. It would suffice for a person to have inflicted severe pain or suffering on another in the performance or purported performance of his official duties. It is therefore necessary to provide for a defence in section 3(4) by providing that the accused shall have a defence if he can prove that he had lawful authority, justification or excuse for the conduct in respect of which he is charged. The phrase “lawful authority, justification or excuse” is defined in section 3(5) to mean –

- (a) in relation to pain or suffering inflicted in Hong Kong, lawful authority, justification or excuse under the law of Hong Kong;
- (b) in relation to pain or suffering inflicted outside Hong Kong –
 - (i) if it was inflicted by a public official acting under the law of Hong Kong or by a person acting in an official capacity under that law, lawful authority, justification or excuse under that law;

- (ii) in any other case an authority, justification or excuse which is lawful under the law of the place where it is inflicted.

1.7 Our position remains that the provisions of section 3 of the Crimes (Torture) Ordinance are consistent with Article 1.1. The second sentence of Article 1.1 provides that the term “torture” “does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions”. The defence of lawful authority is intended to cover matters such as the use of reasonable force to restrain a violent prisoner or to treat a patient. It is not intended to cover – nor would the courts be asked to interpret them as authorising – conduct intrinsically equivalent to torture as defined in Article 1.1.

Article 2: Legislative, administrative, judicial or other measures to prevent acts of torture

2.1 The situation remains essentially as explained in paragraphs 7 to 18 of the initial report. Since then, there have been no more reports of torture as defined in the Crimes (Torture) Ordinance.

Article 3: Torture as a ground for refusal to expel, return or extradite

3.1 In paragraphs 65 and 66 of the previous report, we informed the Committee that we had, having regard to the high standards of fairness laid down by our Court of Final Appeal in the case of *Secretary for Security vs Sakthevel Prabakar*, put in place administrative procedures for assessing torture claims made under Article 3.1. The position remains essentially the same as explained in paragraphs 67 and 68 of the previous report in regard of Hong Kong's obligation under the Convention to persons subject to removal and deportation, and in paragraphs 69 and 70 in regard to fugitive offenders requested for surrender².

3.2 In paragraph 7 of the previous Concluding Observations, the Committee recommended, inter alia, that HKSAR should incorporate the provisions contained in Article 3 of the Convention under our domestic law; adopt a legal regime on asylum establishing a comprehensive and effective procedure to examine thoroughly, when determining the applicability of our obligations under Article 3 of the Convention, the merits of each individual case; as well as ensure that adequate mechanisms for the review of the decision are in place for each person subject to removal, expulsion or surrender.

Enhanced Screening Mechanism for Torture Claims

3.3 In December 2009, following the decision of the Court of First Instance in the case of *FB vs Director of Immigration and Secretary for Security*, we enhanced the administrative screening procedures to ensure that the required high standards of fairness would be met. Under the enhanced procedures, torture claimants may receive publicly-funded legal assistance by duty lawyers throughout the screening process. Claimants aggrieved by the ImmD's decision on their torture claims may lodge a petition, which would be considered by adjudicators (all of whom are former judges or magistrates).

² As at October 2012, we had signed a total of 18 bilateral agreements on the surrender of fugitive offenders.

3.4 Claimants have every reasonable opportunity to establish their claims. They will complete a torture claim form (with the assistance of duty lawyers and interpreters as appropriate) to provide grounds and evidence to substantiate their claims. Upon receipt of the forms, the ImmD will arrange for screening interviews with the claimants to clarify or supplement the information provided in the claim form.

3.5 If there are substantial grounds for believing that the claimant would be in danger of being subjected to torture if he or she is expelled, returned or surrendered from Hong Kong to a foreign country, the ImmD must accept the claim as substantiated. In the event that the claim is not substantiated, the ImmD will notify the claimant in writing of the decision with detailed reasons provided, as well as his or her right to lodge a petition against the decision.

3.6 As mentioned in paragraph 3.3, claimants may receive publicly-funded legal assistance during the screening process, including completion of the torture claim form, attendance at the screening interview, as well as lodging of a petition and attendance at an oral hearing for the petition (where applicable). Such assistance is being provided by our Duty Lawyer Service, under which some 260 barristers and solicitors have registered to provide assistance to torture claimants.

3.7 As at 30 June 2012, 1 983 claims made under Article 3 of Convention were determined under the enhanced screening mechanism. Around 5 600 outstanding torture claims are pending screening in Hong Kong.

3.8 We also introduced the Immigration (Amendment) Bill 2011 into the Legislative Council (LegCo) in July 2011. The Bill aimed to underpin the enhanced screening mechanism by adding new statutory provisions to the Immigration Ordinance (Cap. 115). Its object is to provide for a statutory process for making claims under Article 3 of the Convention and determining such claims, including how a torture claim is made and the effect thereof (i.e. non-refoulement protection), the requirements for the ImmD to arrange screening interview with claimants, to take into account all relevant considerations in determining a claim, and to inform the claimant of the decision with reasons for the decision

by written notice, etc. The Bill also stipulates that a claimant who is aggrieved by the ImmD's decision may lodge an appeal, which will be handled by a statutory Torture Claims Appeal Board, and provides for other related matters. Under the Bill, a person whose surrender is requested in surrender proceedings may also claim non-refoulement protection under Article 3 of the Convention against the surrender of that person from Hong Kong to a torture risk State. The Bill was enacted into law in July 2012 (Ordinance No. 23 of 2012). The statutory framework will come into operation on 3 December 2012. Under the statutory scheme, a claimant will not be removed to his or her home country until his or her claim is finally determined and found not substantiated. Hence we do not see a need for the establishment of a post-removal monitoring mechanism.

Refugee Convention and its 1967 Protocol

3.9 The Committee also recommend in paragraph 7 of the previous Concluding Observations that HKSAR should consider the extension of the 1951 Refugee Convention and its 1967 Protocol to Hong Kong. In this regard, it has all along been our established policy not to extend the Refugee Convention to Hong Kong. Given our developed economy and liberal visa regime, doing so will subject our immigration regime to abuses and thus undermining public interest, especially the interest of the local labour force.

3.10 That notwithstanding, asylum requests in Hong Kong are handled by the Hong Kong Sub-office of the United Nations High Commissioner for Refugees (UNHCR). The Director of Immigration will also consider whether or not to exercise his discretion on compassionate grounds to withhold the removal of an asylum seeker pending determination of his refugee status by the UNHCR (or a mandated refugee pending resettlement arrangement) on a case by case basis. We understand that as at 30 June 2012, there are some 500 asylum claims pending determination by the Hong Kong Sub-office of the UNHCR, and around 150 mandated refugees pending resettlement.

3.11 The HKSAR Government has all along been supporting the operation of the UNHCR's Hong Kong Sub-office through provision of

office accommodation at nominal rent. Asylum seekers, torture claimants and mandated refugees in need may also receive humanitarian assistance through non-governmental organisations (NGOs) commissioned by our Social Welfare Department (SWD).

Article 4: Making acts of torture offences under the criminal law

4.1 The position is essentially as explained in paragraphs 38 and 39 of the initial report, which explained that torture is prohibited under the Crimes (Torture) Ordinance (Cap. 427) and a person who aids or abets the commission of an offence by another person is guilty of the like offence under section 89 of the Criminal Procedure Ordinance (Cap. 221). An attempt to commit torture is also an offence under section 159G of the Crimes Ordinance (Cap. 200).

Article 5: Establishment of jurisdiction

5.1 As explained in paragraph 40 of the initial report, section 3 of the Crimes (Torture) Ordinance provides that the offence of torture is committed, whether the conduct constituting the offence is performed in Hong Kong or elsewhere. The nationality of the perpetrator or the victim is immaterial. The courts of the HKSAR have full jurisdiction over such offences in conformity with Article 5 of the Convention.

Article 6: Powers of detention

6.1 The position of the CSD and the Police remain essentially as explained in paragraphs 41, 42 and 44 of the initial report.

6.2 The “Policy on Exercise of Detention Powers Conferred by Section 32 of the Immigration Ordinance (Cap. 115)” has been implemented and publicised since October 2008. The ImmD has been issuing the “Guidance to an arrested person on arrest and detention” since January 2010 to help an arrested person understand the legal authority for his arrest and detention.

6.3 With regard to the Law Reform Commission Report on Arrest, the Government has implemented those recommendations that are capable of being effected through administrative means. As regards the remaining recommendations, the Government has set up an interdepartmental working group to further study the implementation details and conduct research on recent developments concerning overseas law enforcement agencies.

Article 7: Prosecution of offenders who are not to be extradited

7.1 The position is as explained in paragraph 45 of the initial report.

Article 8: Extradition arrangements

8.1 The position remains essentially as explained in paragraphs 46 to 48 of the initial report and paragraphs 79 and 80 of the second report. The Government has negotiated 18 bilateral agreements on the surrender of fugitive offenders³ under authorisations from the Central People's Government.

8.2 The Fugitive Offenders (Torture) Order remains in full force. The Order applies the procedures in the Fugitive Offenders Ordinance (Cap. 503) to requests for surrender of fugitive offenders by jurisdictions to which the Convention applies for offences created by the Convention. This enables the Government to surrender such offenders to all such jurisdictions. Surrender may be granted even if the jurisdiction requesting it is exercising extra-territorial jurisdiction in respect of the offence⁴. At the time of drafting this report, there had been no such requests.

³ Including the Netherlands, Canada, Australia, Malaysia, the USA, Singapore, New Zealand, India, the Philippines, Indonesia, the UK, Sri Lanka, Portugal, Finland, Germany, Republic of Korea, Ireland and South Africa.

⁴ Thus, for example, if a state were to seek the surrender of a fugitive offender, the HKSAR Government would do so, provided that the state in question had jurisdiction over that person by virtue of its laws or of any treaties it had entered into. Surrender would proceed even if the person's offence had been committed outside the requesting state.

Article 9: Mutual assistance in relation to crimes of torture

9.1 The position remains essentially as explained in paragraphs 49 to 51 of the initial report and paragraph 82 of the second report. The Mutual Legal Assistance in Criminal Matters Ordinance (Cap. 525) - enacted in 1997 - empowers the HKSAR Government to provide under authorisations from the Central People's Government certain forms of assistance provided an agreement is in place or reciprocity is guaranteed. These are -

- (a) the taking of evidence or the production of a thing in court;
- (b) the search or seizure of a thing or the production of documents pursuant to court orders;
- (c) the service of documents;
- (d) the transfer of prisoners to give assistance; and
- (e) the seizure and confiscation of the proceeds of crime.

9.2 As at September 2012, we had signed 27 bilateral agreements on mutual legal assistance in criminal matters⁵.

⁵ Including Australia, the USA, France, the UK, New Zealand, Italy, Republic of Korea, Switzerland, Canada, the Philippines, Portugal, Ireland, the Netherlands, Ukraine, Singapore, Belgium, Denmark, Poland, Israel, Germany, Malaysia, Finland, Indonesia, Japan, Sri Lanka, South Africa and India.

Article 10: Education and information on the prohibition of torture

General

10.1 The position remains broadly as explained in paragraphs 52 to 58 of the initial report.

Police

10.2 The position is essentially the same as mentioned in paragraph 52 of the initial report.

Correctional Services Department

10.3 The position is essentially the same as mentioned in paragraph 86 of the previous report. CSD will continue to provide relevant induction and regular in-service training programmes to staff with emphasis on the prevention of torture and degrading treatment or punishment of persons in custody.

Immigration Department

10.4 The position is essentially the same as mentioned in paragraph 87 of the previous report.

Independent Commission Against Corruption

10.5 The position is essentially as explained in paragraph 56 of the initial report.

Health care professionals

10.6 Healthcare professionals are trained to closely monitor the physical and mental well-being of patients in the course of routine patient care and are well equipped with the knowledge to recognise clinical features and physical signs that are suggestive of occurrence of abuse, including the sequelae of torture. For doctors, the Hong Kong College of Paediatricians conducts regular and mandatory courses on child

protection for all Paediatricians trainees and the subject of elderly abuse is part of college training for all Geriatrics trainees.

10.7 On training of nurses, topics such as child and elderly abuse are included in the curricula of basic nursing education. In the Hospital Authority (HA), the provider of public hospital services in Hong Kong, continuing education and on-job training are regularly organised for nurses who may encounter such incidents in their daily practice. These include orientation programmes for new recruits, advanced specialty training in gerontological nursing, training in child health and emergency nursing. Also, the HA has drawn up clinical guidelines on managing intimate partner violence and domestic violence.

10.8 For allied health professionals, the HKSAR Government has implemented measures to ensure that medical social workers and clinical psychologists are equipped with adequate training and knowledge in this regard. To enhance the knowledge of medical social workers in handling domestic violence, elderly abuse, child abuse and sexual violence cases, the SWD has been providing regular trainings for medical social workers stationing in the HA. Relevant skills including the provision of counselling to victims, perpetrators and their family members are particularly strengthened.

10.9 As to clinical psychologists, training in trauma psychology covers assessment for proper recognition and treatment of psychosocial and mental health problems related to abuse and trauma. This has been included as part of the curriculum of all recognised clinical psychology programmes in Hong Kong. Furthermore, continuing education and on-job training in psychological assessment and evidence-based treatment for trauma-related mental health problems have been organised for clinical psychologists working in the HA.

10.10 In paragraph 9 of the previous Concluding Observations, the Committee recommended that the HKSAR should ensure that health care professionals are equipped with the necessary training and information to recognise and detect signs and features that may suggest the occurrence of torture. Specific training programmes on the “Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or

Degrading Treatment or Punishment” (Istanbul Protocol) has been provided for officers of the ImmD and healthcare professionals in the public healthcare system (including doctors and other health professionals). The training helped to familiarise the personnel involved in handling torture claims on the requirements under the Istanbul Protocol, and equipped them with capability to recognise and detect signs and features of torture claimants that may suggest the occurrence of torture.

Article 11: Review of interrogation rules, instructions, methods and practices for custody and treatment of persons arrested or detained

11.1 We take the opportunity to inform the Committee of the developments in respect of the rules and practices of the disciplined services and mental hospitals since the submission of the previous report.

Collection of intimate and non-intimate samples from suspects

11.2 As mentioned in paragraph 91 of the previous report, the Police, the Customs and the ICAC have the power to collect intimate and non-intimate samples from suspects for forensic analysis since 2001. The ICAC has established guidelines and procedures for the taking of non-intimate samples from suspects under ICAC investigation and their subsequent handling and disposal. The Customs has also established guidelines and procedures for handling of intimate and non-intimate samples. These guidelines provide safeguards against possible abuses of power by the law enforcement officers.

Correctional Services Department

Search procedures of the CSD

11.3 In accordance with Rules 9 and 10 of the Prison Rules (Cap. 234, sub. leg. A), CSD officers are authorised to conduct searches on prisoners upon the latter's admission into CSD's institutions and at such times subsequently as considered necessary by the officer-in-charge. As an established practice, all prisoners have to be thoroughly searched upon their admission, change of locations within the institution, return from outside locations and at such times when they could possibly come into possession of drugs and other contraband from their contact with outsiders. This is to ensure the safety of prisoners and other persons, and to maintain prison security, order and discipline.

11.4 The principles of proportionality and necessity are enshrined in Rule 9(2) of the Prison Rules, which stipulates that the searching of a prisoner shall be conducted with due regard to decency and self-respect, and in as seemly a manner as is consistent with the necessity of

discovering any concealed articles. Under the established practice, body cavity searches are conducted by trained medical staff (i.e. a medical officer or an officer who is a qualified nurse) of the same sex. The CSD has internal guidelines to assist officers in carrying out searches in an appropriate and consistent manner. The CSD conducts supervisory assessments or inspections regularly to ensure that operational practices are in conformity with the statutory provisions and internal guidelines.

11.5 To reduce manual body cavity searches, the CSD will procure one set of low radiation X-ray body scanner to assist in the search for contrabands concealed in the body of persons in custody, with a view to preventing contrabands (in particular drugs) from being smuggled into correctional institutions. The CSD plans to operate X-ray body scanner at Lai Chi Kok Reception Centre for checking all the inmates newly admitted to the Reception Centre. If the scanner is effective, the CSD will consider procuring more for other institutions.

Legislative amendments to the Criminal Procedure Ordinance (Cap. 221)

11.6 As explained in paragraphs 94 and 95 of the previous report, the Criminal Procedure (Amendment) Ordinance 2004 provides that judges of the Court of First Instance may determine the minimum terms of prisoners who are serving indeterminate sentences and are detained at Executive discretion. Subsequent to the amendment, all 12 prisoners detained at Executive discretion for having committed murder under the age of 18 received determinate sentences from the Court of First Instance. All of them have since served their determinate sentences with the last prisoner discharged in December 2008.

Prevention of suicides

11.7 As at 30 September 2012, the last suicide case happened in August 2010. The CSD has been making every effort to prevent inmate suicide, which includes regular review of the mechanism and strategies for the detection and prevention of suicide in custody from time to time. The most recent review was conducted in 2011. The CSD has since implemented improvement measures including enhanced training to increase staff sensitivity to and awareness of suicidal signs and symptoms,

enhanced mechanism for monitoring and reporting of at-risk cases, refinement of the screening protocol for early screening of inmates for suicidal tendencies, and modifications to the fittings in prison accommodation to make suicide attempts more difficult. The CSD will continue to review the effectiveness of the measures on a regular basis. In 2011, there were 82 self-harm cases involving persons in custody, who were successfully stopped from further self injury by CSD officers.

Police

11.8 The situation remains essentially as explained in paragraph 60 of the initial report.

11.9 In paragraph 10 of the previous Concluding Observations, the Committee raised concern on certain aspects of the Police's procedure in conducting custody search of detainees.

11.10 The Police conducted a review in respect of the custody searches of detainees in early 2008 and introduced substantial enhancement to their guidelines and procedures for handling custody searches of detainees in July 2008. The new arrangements seek to provide better safeguards in respect of the requirements to respect the rights of the detainees and to prevent unnecessary searches. The new guidelines clearly stipulate, among other things, that a search involving the removal of underwear should not be conducted routinely but only in circumstances with strong justifications. The guidelines also provide that when conducting searches involving the removal of clothing, police officers should have due regard to the privacy and dignity of the detained person concerned. For instance, such a search will only be conducted in an area offering privacy not in view of persons other than those officers required to carry out, witness or supervise the custody search. Police officers are required to accurately record all searches conducted on detainees, including the scope of and the reason(s) for the search, in the Police's Communal Information System (CIS). Supervisory officers will review records in the CIS to ensure that officers concerned comply with the search procedures and to take actions on any non-compliance of searches guidelines. Statistics of all searches involving full removal of

underwear are provided for the Panel on Security of the LegCo for information on a quarterly basis.

11.11 To better discharge the Commissioner of Police's duty of care owed to detained persons, the following measures, among others, have been introduced over the past few years:

- (a) the display of a notice to inform detainees of "Conditions and Treatment in Police Detention Facilities" in the corridor outside every cell room;
- (b) the provision of welfare items to persons detained in police custody, e.g. facemasks, boxed tissues, packed wet tissues, sanitary napkins; every refusal to provide such by the Police has to be properly documented in the CIS;
- (c) the introduction of a new directive on the searching of persons with special needs including, but not limited to, persons with physical disabilities, persons under the age of 16, persons with physical communication difficulties. The presence of an appropriate adult, of 18 years of age or above and of the same gender as the person to be searched, is mandatory for detained persons under the age of 16 and detained persons who are or suspected to be mentally incapacitated. Detained persons with special needs of other categories may request for the presence of an appropriate adult as necessary. The role of an appropriate adult include, but not limited to, assisting the Police in dealing with and looking after the rights, welfare and special needs of such a person and assisting the Police in communicating and explaining to such a person the reason(s) for detention and procedural matters; and
- (d) the introduction of a Language Identifier for persons who speak a language other than Chinese or English to identify their own language to facilitate communication and for subsequent arrangements of an interpreter, if necessary.

Immigration Department

11.12 The situation remains largely as explained in paragraph 100 of the previous report.

11.13 To provide an immigration detention facility for immigration offenders (18 years old or above) awaiting repatriation, removal or deportation in accordance with the Immigration Ordinance, the Castle Peak Bay Immigration Centre (CIC) commenced operation in 2005. The detainees at the CIC are treated in accordance with the Immigration (Treatment of Detainees) Order (Cap. 115, sub. leg. E) which contains provisions about notification to relatives, communication with legal advisers, keeping of detention records, medical examination, comfort of detainees, complaints, and visits by Justices of the Peace.

11.14 The ImmD conducts on-going reviews and updates, if required, internal guidelines for search. The Department conducted a comprehensive review and issued standard guidelines for search of persons, premises, vehicles and vessels in 2008. Officers who carry out searches must comply with the guidelines and ensure that all searches are lawfully and reasonably conducted. Before the search, officers will serve a “Search Notice” to the subject which stipulates the purpose of search and factors to be considered when deciding the appropriate scope of search. Besides, persons being searched will be informed of the rights to retain essential clothing or article, such as hearing-aid, spectacles and religious head-dress, etc. Officers who fail to comply with the relevant guidelines are liable to disciplinary actions, and if crimes are involved, prosecutions would be taken where appropriate.

11.15 From early 2009, individual immigration control points have implemented the “Detention Policy and Guidelines in Handling Person Detained under Section 32 (of the Immigration Ordinance)”. A refused landing passenger will be served a “Notice on Detention Policy” and a “Notice of Detention”. All detention cases will be reviewed on a monthly basis by the Sectional Commanders of the control points. If detention has to be maintained, the detainee will be served a fresh “Notice of Review of Detention”.

Customs and Excise Department

11.16 The position is as explained in paragraph 69 of the initial report. Moreover, all Customs offices are now equipped with video recording facilities.

Persons detained in mental hospitals

11.17 The position regarding the protection of the rights of persons detained in mental hospitals remains essentially as explained in paragraphs 73 to 80 of the initial report. A development of note has been, in 2001, the Judiciary and the HA formulated administrative arrangements to ensure that mental patients, if they so request, could have access to a judge or magistrate before such judge or magistrate determines whether or not to make an order of compulsory detention in a mental hospital.

11.18 Conditions under which electro-convulsive therapy (ECT) will be administered on patients remain the same as explained in paragraphs 81 to 83 of the initial report. The pattern of application of ECT in the past five years was as follows -

	2007-08	2008-09	2009-10	2010-11	2011-12
Number of Patients receiving ECT	175	153	110	137	82
Number of treatments	1 387	1 266	828	945	696
Average number of treatments per patient	7.9	8.3	7.5	6.9	8.5

Article 12: Prompt and impartial investigation of torture

12.1 As explained under Article 2, there have been no cases, or even allegations, of torture in the period under report. Any claim or suspicion of torture having occurred in Hong Kong would be subject to immediate investigation through the complaints mechanisms described in paragraphs 13.1 to 13.14 below in relation to Article 13⁶. Assertions of torture committed in other jurisdictions would be handled as explained above in relation to Articles 3, 8, and 9.

⁶ Paragraphs 85 to 101 of the initial report described matters relating to complaints mechanisms under the section on Article 12. These matters also fall within the scope of Article 13.

Article 13: Right of complaint

Correctional Services Department

13.1 The complaint mechanism in place remains essentially the same as explained in paragraphs 110 to 116 of the previous report. CSD's Complaints Investigation Unit handles and investigates all complaints within its purview. The results of these investigations are examined by the CSD Complaints Committee. In 2011, the CSD's Complaints Investigation Unit received a total of 95 complaints from inmates and members of the public. During the year, the CSD's Complaints Committee examined 78 complaints, of which one was substantiated.

Police

13.2 Integrity and respect for the rights of members of the public are among the core values of the Police. The Police will continue their efforts in promoting such core values within the Force.

Sex workers

13.3 In paragraph 11 of the previous Concluding Observations, the Committee expressed concerns on the allegations of routine police abuses of persons during operations in the context of prostitution-related offences.

13.4 All police officers participating in undercover operations are required to fully comply with internal guidelines designed for this purpose, and the conduct of these undercover operations is subject to supervision. Any person who feels aggrieved by police actions may lodge a complaint. All complaints against police officers will be thoroughly investigated. If any allegation of abuse of authority is substantiated, the police officer concerned will be subject to disciplinary action. Criminal prosecution may be taken as required.

Complaints Against Police Office and Independent Police Complaints Council

13.5 In paragraph 12 of the previous Concluding Observations, the Committee expressed that HKSAR should continue to take steps to establish a fully independent mechanism mandated to receive and investigate complaints on police misconduct.

13.6 Under the existing two-tier police complaints handling system, the Complaints Against Police Office (CAPO) is responsible for handling and investigating complaints lodged by members of the public against members of the Police. The CAPO operates independently from other Police formations to ensure its impartiality in handling complaints. The Independent Police Complaints Council (IPCC) is an independent statutory body specifically appointed to monitor and review the CAPO's handling and investigation of complaints. Members of the IPCC appointed by the Chief Executive are drawn from a wide spectrum of the community.

13.7 The Independent Police Complaints Council Ordinance (Cap. 604) (IPCC Ordinance) provides the above police complaints system with a statutory basis. The Ordinance came into force on 1 June 2009 and turned the former IPCC into a statutory body. It clearly sets out the statutory IPCC's role, functions and powers in the police complaints handling system, as well as the obligations of the Police to comply with the requirements made by the IPCC under the Ordinance. There are effective checks and balances to ensure that the complaints lodged with the CAPO are handled thoroughly, fairly and impartially.

13.8 In gist, the CAPO is obliged under the Ordinance to submit a detailed investigation report on each reportable complaint to the IPCC for rigorous examination and is required to address queries and suggestions from the IPCC on the report. Where IPCC members have doubts about the investigation of a particular complaint, they may invite the complainants, complainees and any other person who is or may be able to provide information or other assistance to interviews. If the IPCC is not satisfied with the result of a CAPO investigation, it may ask the CAPO to clarify any doubts or reinvestigate the complaint. It may also bring the

case to the personal attention of the Chief Executive. The IPCC also monitors the CAPO's investigations into reportable complaints through the IPCC Observers Scheme, under which IPCC members and a wide pool of Observers undertake, on a scheduled or surprise basis, observations of the interviews and collection of evidence conducted by the Police during investigation of complaints to ensure that these processes are conducted in a fair and impartial manner. The minimum number of observations to be conducted by each Observer every year was increased from 2 to 4 in 2008. An addition of 20 Observers were appointed to the IPCC Observers Scheme in November 2010, increasing the total number of Observers to 110. Duty rosters are issued to remind Observers on duty to attend observations. Observers not on roster may also attend for observations. As a token of appreciation, a non-taxable honorarium is provided to Observers per attendance of observation. CAPO endeavour to inform IPCC of impending interviews or scene visits as soon as practicable. In 2010 and 2011, over 90% of such notifications were given at least 48 hours in advance. The number of observations conducted by IPCC from 2008 to 2011 is detailed in the following table.

Year	Number of notification received by IPCC	Number of observations conducted by IPCC	Number of pre-arranged observations	Number of surprise observations
2008	3319	548 (16.5%)	497	51
2009	8998	1808 (20%)	1477	331
2010	6887	1888 (27.4%)	1245	643
2011	4893	2010 (41%)	1346	664

13.9 The above shows that the statutory framework provided for under the IPCC Ordinance has enhanced the transparency of the police complaints handling system with effective check and balances and reinforced the independent monitoring role of the IPCC.

Immigration Department

13.10 The situation remains essentially as explained in paragraphs 118 and 119 of the initial report.

Customs and Excise Department

13.11 The position remains essentially as explained in paragraph 120 of the initial report. There were 122 complaints of assault received in the reporting period of 2005 - 2011. All were found unsubstantiated after police investigations.

Independent Commission Against Corruption

13.12 In paragraph 119 of the previous report, we stated that the ICAC Complaints Committee was chaired by a member of the Executive Council. The current Chairman of the ICAC Complaints Committee assumed office in January 2010 and remained in position after his tenure with the Executive Council expired on 30 June 2012.

13.13 In paragraph 120 of the previous report, we reported that in 2003, 29 complaints concerning 70 allegations were lodged against the ICAC or its officers while in 2004, the corresponding figures were 21 complaints and 53 allegations respectively. For the two years' breakdown of the allegations by categories, we noticed that exact figures, instead of percentages, were quoted in the previous report. Please see below for an updated complaints statistics for the period from 2003 to 2011 –

Year	No. of complaints received	Total no. of allegations received	Category of allegation (%)			
			Misconduct	Abuse of power	Neglect of duties	Inadequacy of ICAC procedures
2003 ⁷	29	70	49	36	14	1
2004 ⁸	21	53	32	36	32	0
2005	32	106	54	35	11	0
2006	15	44	27	43	27	3
2007	18	43	28	30	40	2
2008	22	48	42	12	46	0

⁷ In 2003, the Committee received 34 allegations concerning ICAC officers' misconduct, 25 allegations on abuse of power, 10 on neglect of duties; and the remaining case was inadequacy of ICAC procedures.

⁸ In 2004, the Committee received 17 allegations concerning ICAC officers' misconduct, 19 allegations on abuse of power; and 17 allegations on neglect of duties.

2009	31	90	49	13	38	0
2010	34	76	55	5	38	2
2011	14	44	59	9	25	7

13.14 Also, we reported in paragraph 121 of the previous report that for 2003 and 2004, 10 and seven allegations against the ICAC were found to be substantiated or partially substantiated respectively. We noticed that for the period 1998 to 2002, the statistics compiled were based on the number of complaints instead of allegations. For clarity's sake, please refer to the following updates concerning the number of complaints found to be substantiated or partially substantiated between 2003 and 2011 –

Year	No. of complaints considered	No. of complaints either substantiated or partially substantiated
2003	35	9
2004	22	5
2005	22	7
2006	24	5
2007	23	2
2008	22	2
2009	20	2
2010	25	4
2011	30	3

Avenues for complaint by mental patients

13.15 The position remains as explained in paragraphs 123 of the previous report. The numbers of complaints received from mental patients by the HA in the past five years are set out in the table below.

The total number of complaints received from mental patients by the HA				
2007	2008	2009	2010	2011*
150	147	151	154	249

* The definition of “complaints” was expanded in 2011, leading to the record of a higher number of complaints.

Article 14: Legal redress for victims of torture and an enforceable right to fair and adequate compensation

14.1 The position remains as explained in paragraphs 129 to 134 of the initial report. The numbers of applications made and approved under the Criminal and Law Enforcement Injuries Compensation Scheme since the previous report are as follows -

Year	Number of Applications Made	Number of Applications Approved
2006-07	442	292
2007-08	392	286
2008-09	409	248
2009-10	393	316
2010-11	332	228
2011-12	332	227

Article 15: Statements made as a result of torture shall not be invoked as evidence

15.1 The position is essentially as explained in paragraphs 135 to 136 of the initial report. The number of Police Video Interview Rooms has increased from 11 in 1996 to 74 as at 31 May 2012. Every major divisional police station has at least one such facility. As for the ICAC, the use of video-interviewing has long been its standard practice. The immigration investigation offices and major control points are now equipped with video-recording facilities. The same is also true for all Customs offices.

Article 16: Prevention of other acts of cruel, inhuman or degrading treatment or punishment

General

16.1 It is the position of the HKSAR Government that all persons acting in an official capacity must act in accordance with the law. Measures are in place to ensure that any acts of cruel, inhuman or degrading treatment or punishment committed by, at the instigation of, or with the consent or acquiescence of, any public official - or other person acting in an official capacity - will be subject to criminal or disciplinary sanctions.

Ill-treatment of children

16.2. In broad terms, the position remains as explained in paragraphs 143 to 147 of the initial report.

16.3. The provision of legal representation through the Duty Lawyer Service (DLS) for children and juveniles involved in care or protection proceedings who are detained in a gazetted place of refuge has been operating well since its commencement in October 2003. Upon the review in 2005, the scope of such service has been expanded to cover any child or juvenile who is -

- (a) taken to the Juvenile Court directly by the Police for the purpose of applying for a Care or Protection Order, without being detained at a gazetted place of refuge before the court hearing; or
- (b) likely to be detained in a gazetted place of refuge on the recommendation of a social worker of the SWD.

16.4. Since March 2007, the service has been further extended to cover cases without parental or guardian consent for legal representation. We will continue to work closely with DLS with a view to maintaining the quality of the legal assistance provided to these children and juveniles.

16.5. Regulation 58 of the Education Regulations (Cap. 279, sub. leg. A) stipulates that “No teacher shall administer corporal punishment to a pupil”. Pursuant to the provision in the Education Regulations, the Education Bureau (EDB) has also set out in the School Administration Guide that “Under all circumstances, school discipline should be administered in a manner consistent with students’ human dignity, rights to education, individual differences and health conditions, including the physical, psychological and mental health conditions and in conformity with the present laws.” All schools are required to observe the requirements of the Regulations. Moreover, a seminar is conducted every year on legal issues relating to student guidance and discipline, where school teachers are reminded, among other things, that corporal punishment is prohibited by law. EDB also regularly conducts seminars to raise teachers’ awareness of child abuse and to enhance their competency in early identification of students and families in need of help. In the past five years (2007 to 2011), no teacher has been charged with the offence of corporal punishment.

Children in institutional care

16.6 Justices of the Peace and the SWD’s officers visit homes run by NGOs on both a scheduled and surprise basis. To ensure impartiality and effectiveness of complaints handling, an Independent Complaints Handling Committee comprising eight independent members who are neither Government officials nor NGO staff was set up in 2009 to handle complaints that cannot be satisfactorily resolved at the NGO level.

Domestic violence

16.7 As pointed out in paragraph 134 of the previous report, we consider that domestic violence does not fall within the scope of Article 16, which – inter alia – requires that acts of cruel or inhuman treatment (and so forth) be –

“.....committed by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity.”

However, since the issue was raised in paragraph 13 of the previous Concluding Observations, we take this opportunity to state our position in the ensuing paragraphs.

16.8 In paragraph 13(a) of the previous Concluding Observations, the Committee recommended that HKSAR should thoroughly investigate all allegations of domestic violence which, if substantiated, should be appropriately prosecuted and punished.

16.9 Our criminal law punishes all acts of violence, irrespective of the relationships between the abusers and the victims, and independent of where the violent acts occur. The Police will handle all domestic violence reports professionally, and conduct thorough investigations according to the circumstances of each report. Where there is sufficient evidence of an offence, the Police will take firm and decisive actions to effect arrest and prosecution. The prosecuting authorities also accord priorities to domestic violence cases and ensure that they are processed quickly at all stages. Various measures have also been implemented to facilitate fast-tracking of cases involving vulnerable witnesses.

16.10 In paragraph 13(d) of the previous Concluding Observations, the Committee recommended that HKSAR should provide further information on the progress of the Enhanced Central Domestic Violence Database (ECDVD).

16.11 Early identification of problem couples / lovers involved in domestic incidents (domestic disputes in which no offence is committed), followed by timely intervention, is an important element of the strategy to prevent domestic conflicts from escalating into actual violence.

16.12 To this end, in January 2009 a new Police procedure was introduced whereby all domestic violence and domestic incidents reports are indexed in the ECDVD, a risk assessment completed, and a decision made on whether to refer the subjects for appropriate assistance based on the circumstances of the report and any previous incidents. In addition to details of all domestic violence and domestic incidents reports, the ECDVD also contains details of persons involved in all reports of attempted suicide, insane person and missing person, as these incidents

are often indicative of underlying domestic conflict issues. Furthermore, the ECDVD incorporates an automatic alert system whereby, if a person is involved in more than one of these incident types, an alert email is sent to the supervisory officers responsible for the previous incidents for special attention to such reports. The supervisory officers, who will assess the risk factors and decide if follow-up actions are required, including whether immediate intervention and assistance is required from the SWD.

Legal framework

16.13 With the enactment of the Domestic Violence (Amendment) Ordinance 2008, the protection afforded by the Domestic Violence Ordinance has been extended to former spouses and former cohabitants of the opposite sex as well as immediate and extended family members. The protection of minors who are under the age of 18 and victims of domestic violence has also been enhanced. The court is now empowered to require the abusers to attend an anti-violence programme seeking to change their abusive attitude and behaviour. Since January 2010, the name of the Ordinance has been changed to Domestic and Cohabitation Relationships Violence Ordinance (Cap. 189) (DCRVO) with the protection further extended to same sex cohabitants.

16.14 The criminal law deals with domestic violence mainly by the Offences Against the Person Ordinance (Cap. 212) which imposes criminal sanctions for, inter alia, murder, manslaughter, attempts to murder, wounding or inflicting grievous bodily harm, exposing a child under the age of two years whereby his life is endangered, ill-treatment or neglect of a child or young person by a person who has the charge of such child or young person, assault occasioning actual bodily harm and common assault. The Crimes Ordinance (Cap. 200) also criminalises acts of intimidation, arson, destroying or damaging property and sexual offences (including rape / marital rape, incest, indecent assault) etc.

16.15 In relation to the protection in civil law, the Protection of Children and Juveniles Ordinance (Cap. 213) empowers the court to grant a Care or Protection Order or appoint a legal guardian in respect of a child or juvenile who is in need of care or protection as defined under the

Ordinance. The Mental Health Ordinance (Cap. 136) empowers the Guardianship Board established under the Ordinance to make an emergency guardianship order if it has reason to believe that a mentally incapacitated person is in danger, or is being or likely to be maltreated or exploited and it is necessary to make immediate provision to protect that person. The DCRVO provides civil remedies in the form of injunctions to protect primarily individuals in certain specified familial / cohabitation relationships and their children against molestation by the other person.

Services for victims of domestic violence and families in need

16.16 In addition to legal protection, the SWD offers a wide range of preventive, supportive and specialised services to help victims of domestic violence and families in need.

16.17 Over the past few years, the Government has devoted additional resources to enhance services in this regard, including –

- (a) strengthening social work manpower;
- (b) enhancing the 24-hour hotline service of the SWD;
- (c) increasing the capacity and support services of refuge centres for women;
- (d) setting up of a crisis intervention and support centre (the CEASE Centre) primarily for victims of sexual violence;
- (e) launching a family support programme to reach out to vulnerable families for early intervention;
- (f) sustaining efforts in publicity and public education to increase public awareness on the domestic violence problem and the legal remedies and services available;
- (g) enhancing the training of relevant frontline professionals etc;
- (h) strengthening clinical psychological support for victims of

domestic violence, particularly children witnessing domestic violence;

- (i) launching an Anti-violence Programme and implementing the Batterer Intervention Programme to change the batterers' attitude and behaviour; and
- (j) strengthening the support for victims of domestic violence through the Victim Support Programme for Victims of Family Violence.

16.18 There are currently 11 Family and Child Protective Services Units under the SWD. They are specialised units manned by experienced social workers that handle spouse / cohabitant battering and child abuse cases and provide statutory protection for children. They provide a co-ordinated package of one-stop service and arrangement of various services for victims, their families and batterers in domestic violence cases, and help them tide over the difficult period, lessen trauma associated with violence and live a new life.

16.19 There are also 62 Integrated Family Service Centres (IFSCs) set up across the territory that provide a wide range of preventive, supportive and therapeutic welfare services to families in need. A major focus of the IFSCs is on early intervention. Social workers of the IFSCs will proactively reach out to the needy families to support them in developing mutual help networks in the community and enhancing their resilience.

16.20 There are five refuge centres for women with 260 places in Hong Kong, providing short-term accommodation service for victims of domestic violence. Additional resources have been allocated in the past few years to enhance the capacity and support services of the refuge centres.

16.21 There is a Multi-purpose Crisis Intervention and Support Centre (CEASE Centre) to provide crisis intervention and support services including 80 places of short term accommodation service to victims of sexual violence and individuals / families facing domestic

violence or in crisis.

16.22 The SWD and the Housing Department together implemented enhanced measures (through housing assistance and compassionate rehousing (including conditional tenancy)) to assist victims of domestic violence with genuine and long-term housing needs which cannot be resolved by their own means.

16.23 In handling domestic violence cases, the primary focus is to respond immediately to stop the violence, ensure safety of the victims and their families and provide support, in particular to the victims. If the victims and children are considered to be of high-risk of further violence, the SWD will take immediate action (subject to the victims' consent as appropriate) to arrange for shelter, temporary accommodation or residential service for the victims and their children. In case of need, social workers would also assist the victims to seek legal protection through application for an injunction under the DCRVO or initiating the application for a Care or Protection Order under the Protection of Children and Juveniles Ordinance to protect the children.

16.24 To strengthen support for victims of domestic violence, including those involved in the legal proceedings, the SWD has launched the Victim Support Programme for Victims of Family Violence (VSP) since June 2010. The VSP provides emotional support and information on community support services (e.g. legal aid services, accommodation, medical and childcare services, etc.) and the relevant legal proceedings to the victims concerned. If necessary, the victims concerned will be accompanied by social workers or volunteers to attend court hearings and go through the legal proceedings.

Prevention and early intervention

16.25 To facilitate intervention at an earlier stage, the Government has taken various preventive measures to identify the vulnerable families and provide assistance as early as possible before their problems escalate into more serious incidents. For instance :

- (a) The SWD has since early 2007 launched a Family Support

Programme (FSP) to increase contacts with needy families who are reluctant to seek help. Under the FSP, through telephone contacts, home visits and other outreaching programmes, families at risk, including those at risk of domestic violence, psychiatric problems and social isolation, are connected to various support services available and are motivated to receive services to prevent further deterioration of their problems. Volunteers including those who have overcome family / personal problems or crises are recruited and trained to contact these families and to provide them with support and assistance.

- (b) A Comprehensive Child Development Service (CCDS) has been launched in phases since July 2005. Built on the existing services provided in Maternal and Child Health Centres, public hospitals, IFSCs / Integrated Services Centres and pre-primary institutions, CCDS seeks to identify at-risk pregnant women, mothers with probable Postnatal Depression, children and families with psychosocial needs, and pre-primary children with physical, developmental and behavioural problems at an early stage. Children and families in need would be referred to appropriate intervention services, such as cross-disciplinary care arrangement, psychiatric, emotional and social service support. CCDS will be extended to cover all districts by end of 2012-13 to enhance support for children and families in need.

16.26 The SWD also set up in June 2011 a standing Child Fatality Review Mechanism following the successful experience of a three-year pilot scheme to review child death cases to work out strategies for prevention of avoidable child death.

16.27 The SWD will continue to provide training at both central and district levels to social workers and other professionals in dealing with domestic violence and to enhance their skills in risk assessment, crisis intervention and post-trauma counselling. In 2012-13, SWD will provide about 7 000 places for social workers and other professionals.

Publicity and public education

16.28 The SWD has launched a territory-wide and district-based publicity campaign on “Strengthening Families and Combating Violence” to enhance public awareness of the serious impact of domestic violence, encourage families in need to seek help, and promote the concept of neighbourhood watch.

16.29 The SWD has also developed a website of Support for Victims of Child Abuse, Spouse / Cohabitant Battering and Sexual Violence to help victims understand their rights, protection provided by the law and support services available in the community.

16.30 Following the commencement of the DCRVO, publicity efforts have also been strengthened to increase public awareness of the much-expanded protection of the new legislation and the wide meaning of “molestation” from which victims of domestic violence are protected under the Ordinance.

16.31 The Family Life Education Resource Centre of the SWD has also produced resource kits for family education to support relevant departments and organisations to provide family education services in order to promote family functioning and strengthen family relationships including positive parenting.

Statistics

Spouse / cohabitant Battering

16.32 The number of new spouse / cohabitant battering cases reported to the SWD in 2009, 2010 and 2011 were 4 807, 3 163 and 3 174 respectively.

Child Abuse

16.33 According to the statistics of the SWD’s Child Protection Registry, the number of newly reported child abuse cases in 2009, 2010 and 2011 were 993, 1 001 and 877 respectively.

Human trafficking

16.34 In paragraph 7 of the previous Concluding Observations, the Committee recommended that the HKSAR should increase protection to trafficked persons. We always provide necessary support and assistance to victims of trafficking, depending on the merits of individual cases. These services include urgent intervention, as well as medical, counselling and other support services. It must however be stressed that the HKSAR is neither a destination nor a transit point for human trafficking. Neither is it a place of origin for exporting illegal migrants. Over the years, cases of human trafficking are rarely discovered in Hong Kong; the number of reported cases each year ranged between one to four from 2008 to 2011. There has been no reported case that involves children.

**Hong Kong
Special Administrative Region of
the People's Republic of China**

Common Core Document

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Hong Kong Special Administrative Region Common Core Document

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Annexes

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List of abbreviations

API	Announcement in the public interest
Basic Law	Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China
CAPO	Complaints Against Police Office
CAT	Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CMAB	Constitutional and Mainland Affairs Bureau
COMAC	Commissioner for Administrative Complaints
CPCE	Committee on the Promotion of Civic Education
CRC	Convention on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities
CSD	Correctional Services Department
DDO	Disability Discrimination Ordinance
EOC	Equal Opportunities Commission
ExCo	Executive Council
FSDO	Family Status Discrimination Ordinance
GDP	Gross Domestic Product
HAD	Home Affairs Department
HKBOR	Hong Kong Bill of Rights
HKBORO	Hong Kong Bill of Rights Ordinance

List of abbreviations

HKSAR	Hong Kong Special Administrative Region of the People's Republic of China
ICAC	Independent Commission Against Corruption
ICCPR	International Covenant on Civil and Political Rights
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
ImmD	Immigration Department
LegCo	Legislative Council
LWB	Labour and Welfare Bureau
NGOs	Non-government organisations
NPC	National People's Congress
NPCSC	Standing Committee of the NPC
PRC	People's Republic of China
RDO	Race Discrimination Ordinance
RRU	Race Relations Unit
SDO	Sex Discrimination Ordinance
The Police	the Hong Kong Police Force
WoC	Women's Commission

GENERAL INFORMATION

Demographic, economic, social and cultural characteristics

Relevant demographic indicators and social, economic and cultural indicators in respect of the Hong Kong Special Administrative Region of the People's Republic of China (HKSAR) are at **Annex A**.

2. The population in Hong Kong at mid-2007 was 6.92 million. With the annual population growth ranging from 0.2% to 0.9% in recent years, the population at mid-2011 exceeded the 7 million mark (7.07 million). The population increase was mainly due to the continuous inflow of holders of Permit for Proceeding to Hong Kong and Macao from the Mainland of China and the natural increase during the period.

3. The majority of the population in Hong Kong are Chinese (94%). The number of ethnic minorities in Hong Kong was 451 183 (about 6% of the population) in 2011, with an increase of 31.8% over 2006. Among all the ethnic minorities in Hong Kong, the number of Indonesians increased markedly from 87 840 in 2006 to 133 377 in 2011, while their proportion in all ethnic minorities increased from 25.7% to 29.6%.

4. In terms of language most commonly used, 93.5% of Chinese aged five and over usually spoke Cantonese at home, followed by other Chinese dialects (other than Cantonese and Putonghua) (4.3%). On the other hand, among ethnic minorities aged five and over, English was the language most commonly spoken at home (44.2%), followed by Cantonese (31.7%).

5. Ageing of the population has continued. While the proportion of people aged under 15 fell from 13.7% in 2006 to 11.6% in 2011, the proportion of people aged 65 and over rose from 12.4% to 13.3%.

6. Hong Kong is a small and open economy. Hong Kong's per capita Gross Domestic Product (GDP) in 2010 stood at around

\$246,700. Its economy has become increasingly service-oriented over the past decades, as manifested by a continued rise in the share of the service sectors in GDP from 87% in 2000 to 93% in 2010.

7. The diversification and restructuring of the economy will continue, with a view to broadening the economic base. The Government will consolidate the strengths of the traditional four pillar industries (namely financial services, tourism, trading and logistics, and business and professional services), and at the same time step up efforts to promote the growth of industries where Hong Kong enjoys clear advantages (including educational services, medical services, testing and certification services, environmental industries, innovation and technology, cultural and creative industries). The transformation towards a knowledge-based, high valued-added economy has led to a shift in manpower demand in favour of higher-skilled and better educated workers.

Constitutional, political and legal structure of the HKSAR

Constitutional document

8. In accordance with the provisions of Article 31 and sub-paragraph 13 of Article 62 of the Constitution of the People's Republic of China, and the relevant decisions of the National People's Congress (NPC) adopted at the Third Session of the Seventh NPC on 4 April 1990, the HKSAR was established on 1 July 1997. The Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China (Basic Law) came into effect on 1 July 1997.

9. The Basic Law is the most important legal document for the HKSAR to exercise a high degree of autonomy. It prescribes the relationship between the Central Authorities and the HKSAR, fundamental duties of the residents and the social, political, cultural and other systems to be practised in the HKSAR.

10. Among other matters, the Basic Law provides that –
- (a) the NPC authorises the HKSAR to exercise a high degree of autonomy and enjoy executive, legislative and independent judicial power, including that of final adjudication. The power of final adjudication of the HKSAR shall be vested in the Court of Final Appeal established in the Region;
 - (b) the executive authorities and legislature of the HKSAR shall be composed of permanent residents of Hong Kong;
 - (c) under the principle of “one country, two systems”, the socialist system and policies shall not be practised in the HKSAR and Hong Kong’s previous capitalist system and way of life shall remain unchanged for 50 years;
 - (d) the laws previously in force in Hong Kong, that is, the common law, rules of equity, ordinances, subordinate legislation and customary law shall be maintained, except for any that contravenes the Basic Law, and subject to any amendment by the legislature of the HKSAR;
 - (e) national laws shall not be applied in the HKSAR except for those listed in Annex III to the Basic Law¹ and that the laws listed therein shall be applied locally by way of promulgation or legislation by the Region. The Standing Committee of the NPC (NPCSC) may add to or delete from the list of laws in Annex III after consulting the Committee for the Basic Law of the HKSAR and the HKSAR Government;
 - (f) the HKSAR is authorised to conduct relevant external affairs on its own in accordance with the Basic Law using the name “Hong Kong, China”, maintain and develop relations and conclude and implement agreements with foreign states and regions and relevant international organisations in the

¹ National laws listed in Annex III to the Basic Law are at **Annex B**.

appropriate fields, including the economic, trade, financial and monetary, shipping, communications, tourism, cultural and sports fields;

- (g) the HKSAR remains a free port, a separate customs territory and an international financial centre. The HKSAR Government shall, on its own, formulate monetary and financial policies, safeguard the free operation of financial business and financial markets, and regulate and supervise them in accordance with law. The HKSAR safeguards the free flow of capital within, into and out of the Region. The HKSAR issues and manages its own currency;
- (h) the HKSAR formulates its own policies on the development of education, science, culture, sports, labour and social welfare, and Hong Kong residents have the freedom of religious belief;
- (i) Hong Kong residents enjoy a wide range of freedoms and rights; and
- (j) the provisions of the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), and international labour conventions as applied to Hong Kong shall remain in force and shall be implemented through the laws of the HKSAR.

The freedoms and rights of Hong Kong residents will be dealt with under the section below on “General framework for the protection and promotion of human rights”.

Political System

11. The Chief Executive of the HKSAR is the head of the Region, and is accountable to the Central People’s Government and the HKSAR in accordance with the provisions of the Basic Law. The Executive Council (ExCo) assists him in policy-making. The HKSAR

Government formulates and implements policies, introduces bills, implements law and provides services to the community. The Legislative Council (LegCo) is the legislature of the HKSAR. District Councils – established in accordance with Articles 97 and 98 of the Basic Law – are consulted on district administration and other affairs. There is an independent judiciary.

Chief Executive

12. The Chief Executive leads the HKSAR Government and decides on government policies. He is responsible for the implementation of the Basic Law and other laws which, in accordance with the Basic Law, apply in the HKSAR. Moreover, he signs bills and budgets passed by the LegCo. He also nominates and reports to the Central People's Government for appointment of principal officials. He appoints or removes judges of the courts at all levels and holders of public office in accordance with legal procedures. The Chief Executive also conducts, on behalf of the HKSAR Government, external affairs and other affairs as authorised by the Central Authorities.

13. The Basic Law provides that the Chief Executive of the HKSAR shall be selected by election or through consultations held locally and be appointed by the Central People's Government. The method for selecting the Chief Executive shall be specified in the light of the actual situation in the HKSAR and in accordance with the principle of gradual and orderly progress. The ultimate aim is the selection of the Chief Executive by universal suffrage upon nomination by a broadly representative nominating committee in accordance with democratic procedures.

Executive Council

14. The ExCo assists the Chief Executive in policy-making. Under Article 56 of the Basic Law, except for the appointment, removal and disciplining of officials and the adoption of measures in emergencies, the Chief Executive shall consult the ExCo before making important policy decisions, introducing bills to the LegCo, making subordinate legislation, or dissolving the LegCo. The Chief Executive in Council

also determines appeals, petitions and objections under those ordinances that confer a statutory right of appeal. If the Chief Executive does not accept a majority opinion of the ExCo, he shall put the specific reasons on record.

15. The Council normally meets once a week. It is presided over by the Chief Executive. As provided for in Article 55 of the Basic Law, members of the ExCo shall be appointed by the Chief Executive from among the principal officials of the executive authorities, members of the LegCo and public figures. Their term of office shall not extend beyond the expiry of the term of office of the Chief Executive who appoints them.

16. The current membership of the ExCo comprises the 15 Principal Officials appointed under the Political Appointment System and 14 non-official members.

The structure of the Administration

17. The Chief Executive is the head of the Government of the HKSAR. If the Chief Executive is not able to discharge his duties for a short period, such duties shall temporarily be assumed by the three Secretaries of Departments, namely the Chief Secretary for Administration, the Financial Secretary, or the Secretary for Justice, in that order of precedence. The Government of the HKSAR comprises a Department of Administration, a Department of Finance, a Department of Justice, and various bureaux, divisions, and commissions.

18. There are currently 12 bureaux, each headed by a Policy Secretary, which collectively form the Government Secretariat. With certain exceptions, the heads of Government departments are responsible to the Secretaries of Departments and Policy Secretaries. The exceptions are the Commissioner of the Independent Commission Against Corruption, The Ombudsman and the Director of Audit, who function independently and are directly accountable to the Chief Executive.

19. A Political Appointment System has been introduced since 1 July 2002. Under the system, the Chief Secretary for Administration, the Financial Secretary, the Secretary for Justice and the 12 Policy Secretaries of the HKSAR Government are political appointees. They are responsible for specific policy areas and are accountable to the Chief Executive. They are at the same time appointed as Members of the ExCo and, together with other Non-Official Members of the Council, assist the Chief Executive in policy making. Under the system, there remains a permanent, professional and politically neutral civil service.

Legislative Council

20. The powers and functions of the LegCo are specified in Article 73 of the Basic Law. These include enacting, amending or repealing laws in accordance with the provisions of the Basic Law and legal procedures; examining and approving budgets introduced by the Government; approving taxation and public expenditure; receiving and debating the policy addresses of the Chief Executive; raising questions on the work of the Government; debating any issue concerning public interests; endorsing the appointment and removal of the judges of the Court of Final Appeal and the Chief Judge of the High Court; and receiving and handling complaints from Hong Kong residents.

21. Article 68 of the Basic Law provides that the LegCo of the HKSAR shall be constituted by election. The method for its formation shall be specified in the light of the actual situation in the HKSAR and in accordance with the principle of gradual and orderly progress. The ultimate aim is the election of all the members of the LegCo by universal suffrage. Annex II to the Basic Law and the relevant decision of the NPC at its Third Session on 4 April 1990 prescribe the composition of the LegCo during its first three terms as follows –

<u>Membership</u>	<u>First term</u> 1998-2000 (two years)	<u>Second term</u> 2000-2004 (four years)	<u>Third term</u> 2004-2008 (four years)
(a) elected by geographical constituencies through direct elections	20	24	30

<u>Membership</u>	<u>First term</u> 1998-2000 (two years)	<u>Second term</u> 2000-2004 (four years)	<u>Third term</u> 2004-2008 (four years)
(b) elected by functional constituencies	30	30	30
(c) elected by an election committee	10	6	-
Total	60	60	60

22. Annex II of the Basic Law provides that, if there is a need to amend the method for forming the LegCo after 2007, such amendments must be made with the endorsement of a two-thirds majority of all the members of the Council and the consent of the Chief Executive and they shall be reported to the NPCSC for the record. In 2007, the NPCSC promulgated a decision making it clear that the election of the fifth CE of the HKSAR in the year 2017 may be implemented by the method of universal suffrage. And after the CE is elected by universal suffrage, the election of the LegCo of the HKSAR may be implemented by the method of electing all members by universal suffrage. In 2010, the HKSAR Government put forth a constitutional reform package, with a view to enhancing the democratic elements of the two electoral methods for 2012. The motions on the package was passed by the LegCo by two-third majority in June 2010 and endorsed by the NPCSC in August 2010. The local legislations were passed in March 2011.

23. After the passage of the local legislations on the two electoral methods for 2012, the HKSAR is divided into five geographical constituencies for the fifth term of the LegCo (2012-2016), each of which has five to nine seats. A total of 35 seats are returned by geographical constituencies through direct elections. Another 35 seats are returned from functional constituencies, including the new District Council (second) functional constituency. Under the new “one-person-two-votes” arrangement, more than 3.2 million electors can cast two votes, one for a candidate list in a geographical constituency and one for another candidate list in the new District Council (second) functional constituency. This new functional constituency treats Hong Kong as a single constituency and candidates are nominated from elected District Council members.

District Councils

24. Eighteen District Councils were established in the HKSAR to advise the Government on all matters relating to the well-being of residents in the districts and to promote community building through carrying out various community involvement programmes including recreational and cultural projects, and undertaking environmental improvement projects within the districts. A District Council is composed of elected members, appointed members, and, in the case of District Councils in rural areas, the chairmen of Rural Committees as ex-officio members. For the fourth term District Councils (2012-2015), the HKSAR is divided into 412 constituencies, each returning one elected member. In addition, there are 68 appointed members and 27 ex-officio members.

Relevant statistics

25. Relevant statistics on the political system, including the number of complaint cases received from the public on the conduct of major elections, and the voter turnout rates, are set out in **Annex C**.

Administration of justice

The judicial system of the HKSAR

26. The legal system is firmly based on the rule of law, professional legal services, quality legal aid services, and a Judiciary which is independent of the executive authorities and the legislature.

27. Article 19 of the Basic Law provides that the HKSAR shall be vested with independent judicial power, including that of final adjudication. The courts of the HKSAR shall have jurisdiction over all cases in the Region, except that the restrictions on their jurisdiction imposed by the legal system and principles previously in force in Hong Kong shall be maintained. The courts of the HKSAR shall have no jurisdiction over acts of state such as defence and foreign affairs. The courts of the Region shall obtain a certificate from the Chief Executive on

questions of fact concerning acts of state such as defence and foreign affairs whenever such questions arise in the adjudication of cases. This certificate shall be binding on the courts. Before issuing such a certificate, the Chief Executive shall obtain a certifying document from the Central People's Government.

28. The courts of justice comprise the Court of Final Appeal, the High Court (which consists of the Court of Appeal and the Court of First Instance), the District Court, the Magistrates' Courts, the Lands Tribunal, the Labour Tribunal, the Small Claims Tribunal, the Obscene Articles Tribunal and the Coroner's Court. The courts hear and determine all criminal trials and civil disputes, whether between individuals or between individuals and Government of the Region.

29. Article 82 of the Basic Law provides that the power of final adjudication of the HKSAR shall be vested in the Court of Final Appeal of the Region, which may as required invite judges from other common law jurisdictions to sit on the Court of Final Appeal. Article 83 further provides that the structure, powers and functions of the courts of the HKSAR at all levels shall be prescribed by law.

30. 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. Article 88 of the Basic Law further provides that judges of the courts of the HKSAR shall be appointed by the Chief Executive on the recommendation of an independent commission composed of local judges, persons from the legal profession and eminent persons from other sectors.

31. Judges have security of tenure. Article 89 of the Basic Law provides that a judge of a court of the HKSAR may only be removed for inability to discharge his or her duties, or for misbehaviour, by the Chief Executive on the recommendation of a tribunal appointed by the Chief Justice of the Court of Final Appeal and consisting of not fewer than three local judges. The Chief Justice of the Court of Final Appeal of the HKSAR may be investigated only for inability to discharge his or her duties, or for misbehaviour, by a tribunal appointed by the Chief

Executive and consisting of not fewer than five local judges and may be removed by the Chief Executive on the recommendation of the tribunal and in accordance with the procedures prescribed in the Basic Law.

Relevant statistics

32. From 2007 to 2011, the relevant statistics on the administration of justice in respect of the HKSAR set out below. Statistics relevant to the sentencing of offenders and death in custody are set out in **Annex D**.

(a) Incidence of violent death and life threatening crimes reported

Crime	2007	2008	2009	2010	2011
Murder and manslaughter	18	36	47	35	17
Attempted murder	7	4	4	2	4

(b) Number of persons arrested for violent or other serious crimes

Crime	2007	2008	2009	2010	2011
Murder and manslaughter	25	42	35	35	19
Wounding and serious assault	6 498	5 985	5 878	5 225	5 289
Robbery	682	611	428	376	410
Drug trafficking	1 420	1 489	1 569	1 413	1 357

(c) Number of reported cases of sexually motivated violence

Crime	2007	2008	2009	2010	2011
Rape	107	105	136	112	91
Indecent assault	1 390	1 381	1 318	1 448	1 415

(d) Number of Police officers per 100 000 persons

	2007	2008	2009	2010	2011
Police officers	395.3	392.9	397.9	397.4	398.6

(e) Number of judges and judicial officers

	2007	2008	2009	2010	2011
Judges and judicial officers	154	161	154	158	158

(f) Statistics on legal aid

	2007	2008	2009	2010	2011
(1) No. of legal aid applications	3 765	3 413	3 816	3 907	3 888
(2) No. of applications refused on merits	1 152	1 012	899	957	949
(3) No. of applications granted legal aid	2 507	2 235	2 800	2 740	2 795
(4) Applicants granted legal aid with nil contribution out of (3) (as % of (3))	2 305 (91.94%)	2 046 (91.54%)	2 546 (90.93%)	2 472 (90.22%)	2 547 (91.13%)

Non-government organisations

33. Article 27 of the Basic Law guarantees that Hong Kong residents shall have freedom of association and the right and freedom to form and join trade unions, and to strike. Article 18 of the Hong Kong Bill of Rights (HKBOR), which corresponds to Article 22 of the ICCPR, also guarantees the freedom of association. In Hong Kong, all organisations including companies, societies, trade unions and credit unions must be registered by authorities under applicable ordinances such as the Companies Ordinance (Cap. 32) and the Societies Ordinance (Cap. 151).

Exemption of tax

34. Subject to certain limitations, charitable institutions or trusts of a public character are exempt from tax under section 88 of the Inland Revenue Ordinance (Cap. 112). Charities wishing to enjoy the tax exemption may apply to the Inland Revenue Department.

35. For an institution or a trust to be a charity, it must be established for purposes which are exclusively charitable according to law. The law defining the legal attributes of a charity is based upon case law developed through court decisions.

36. A summary of the purposes that may be accepted as charitable, in accordance with case law, are -

- (a) relief of poverty;
- (b) advancement of education;
- (c) advancement of religion; and
- (d) other purposes of a charitable nature beneficial to the community not falling under any of the preceding heads.

37. While the purposes under the first three heads may be in relation to activities carried on in any part of the world, those under head (d) will only be regarded as charitable if they are of benefit to the Hong Kong community.

GENERAL FRAMEWORK FOR THE PROTECTION AND PROMOTION OF HUMAN RIGHTS

Application of international human rights treaties to the HKSAR

38. The list of international treaties that are applicable to the HKSAR and the relevant information is at **Annex E**.

Legal framework for the protection of human rights

Rule of Law

39. The fundamental basis for the protection of human rights is the rule of law maintained by an independent judiciary (see paragraphs 26 to 31 above). The principles that inform the rule of law are :

- (a) **the supremacy of the law:** no individual is punishable or can lawfully be made to suffer personally or financially except for a breach of law established before the independent courts. Where, under the law, an official or an authority has discretion to make a decision, that discretion must be exercised legally, fairly and reasonably. Where it does not do so, the decision must be capable of successful challenge before the courts. The Basic Law guarantees the right of Hong Kong residents to institute legal proceedings in the courts against the acts of the executive authorities and their personnel; and
- (b) **equality before the law:** Article 25 of the Basic Law provides that all Hong Kong residents shall be equal before the law. Article 22 provides that all offices set up in the HKSAR by departments of the Central People's Government, or by provinces, autonomous regions, or municipalities directly under the Central Government and personnel of these offices shall abide by the laws of the Region. Article 14 provides that members of the garrison shall, in addition to abiding by national laws of China, abide by the laws of the HKSAR. Article 35 provides that Hong Kong residents shall have the right to institute legal proceedings in the courts against the acts of the executive authorities and their personnel. No Government authority or official, and no individual, is above the law. All persons, regardless of race, rank, politics, religion or sex, are equal before the law and subject to the same law. Individuals and the HKSAR Government have the same access to the courts to enforce legal rights or defend an action.

Human rights guarantees in the Basic Law

40. Article 4 of the Basic Law provides that the HKSAR shall safeguard the rights and freedoms of residents of the HKSAR and of other persons in the Region in accordance with law. The Basic Law guarantees a wide range of freedoms and rights, including:

- (a) equality before the law;
- (b) freedom of speech, of the press and of publication; freedom of association, of assembly, of procession and of demonstration; and the right and freedom to form and join trade unions, and to strike;
- (c) freedom of the person; freedom from torture; freedom from arbitrary or unlawful arrest, detention or imprisonment; freedom from arbitrary or unlawful search of the body; and right against arbitrary or unlawful deprivation of life;
- (d) freedom from arbitrary or unlawful search of, or intrusion into, one's home or other premises;
- (e) freedom and privacy of communication;
- (f) freedom of movement within the HKSAR and freedom of emigration to other countries and regions and freedom to travel and to enter or leave the Region;
- (g) freedom of conscience; freedom of religious belief and freedom to preach and to conduct and participate in religious activities in public;
- (h) freedom of choice of occupation;
- (i) freedom to engage in academic research, literary and artistic creation, and other cultural activities;

- (j) right to confidential legal advice, access to the courts, choice of lawyers for timely protection of their lawful rights and interests or for representation in the courts, and to judicial remedies; right to institute legal proceedings in the courts against the acts of the executive authorities and their personnel;
- (k) right to social welfare in accordance with law; and
- (l) freedom of marriage and right to raise a family freely.

41. Persons in Hong Kong other than Hong Kong residents shall, in accordance with law, enjoy the rights and freedoms of Hong Kong residents prescribed by Chapter III of the Basic Law. In addition, permanent residents of the HKSAR enjoy the rights to vote and to stand for election in accordance with law.

Effect of other human rights instruments in HKSAR law

42. According to Article 39 of the Basic Law:

“The provisions of the ICCPR, the ICESCR and international labour conventions as applied to Hong Kong shall remain in force and shall be implemented through the laws of the HKSAR.

The rights and freedoms enjoyed by Hong Kong residents shall not be restricted unless as prescribed by law. Such restrictions shall not contravene the provisions of the preceding paragraph of this Article.”

43. In general, and as is usual in common law systems, treaties that apply to Hong Kong (including human rights treaties) do not themselves have the force of law in the domestic legal system of Hong Kong. They cannot directly be invoked before the courts as the source of individual rights. However, the courts will, when possible, construe domestic legislation in such a way as to avoid incompatibility with international treaties that apply to Hong Kong. The usual method of

giving effect in local law to treaty obligations (when these require some change in existing laws or practice) is to enact specific new legislation². Where this results in the creation or definition of specific legal rights and where these rights are denied or interfered with (or there is the threat of such action), a remedy will be available in the courts through the ordinary procedures of civil litigation; or the law may provide criminal sanctions.

Hong Kong Bill of Rights Ordinance

44. The Hong Kong Bill of Rights Ordinance (Cap. 383) (HKBORO) was enacted in June 1991 specifically to give effect in local law to the provisions of the ICCPR as applied to Hong Kong. It achieves this by setting out a detailed HKBOR, the terms of which are almost identical to those of the ICCPR.

Legal aid

45. Eligible applicants receive legal aid through the provision of the services of a solicitor and, if necessary, a barrister in court proceedings to ensure that any person who has reasonable grounds for pursuing or defending a legal action is not prevented from doing so by lack of means. Publicly funded legal aid services are provided through the Legal Aid Department and the Duty Lawyer Service.

Legal Aid Department

46. The Legal Aid Department provides legal representation to eligible persons in both civil and criminal cases heard in the Court of Final Appeal, the Court of Appeal, the Court of First Instance, the District Court and the Magistrates' Court (for committal proceedings). Civil legal aid is available for proceedings covering major areas of livelihood of the community ranging from family disputes to immigration matters and to coroner's inquests. The grant of legal aid is not subject to a residence requirement. Applicants must satisfy the Director of Legal

² An example is the Crimes (Torture) Ordinance (Cap. 427 of the Laws of the HKSAR) which was enacted to give effect in Hong Kong to the Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT).

Aid of their financial eligibility (the means test) and of the justification for legal action (the merits test). In civil cases, the Director has discretion to waive the upper limits of the means test in meritorious applications where a breach of the HKBORO or the ICCPR as applied to Hong Kong is an issue. In criminal cases, the Director has the same discretion if he considers it in the interest of justice to do so. Subject to the means test (unless waived by a judge), it is mandatory to grant legal aid to an applicant charged with murder, treason or piracy with violence. For other criminal offences, provided the applicant passes the means test, a judge may grant legal aid notwithstanding that legal aid has been refused on merits by the Director.

The Duty Lawyer Service

47. This Service complements the legal aid services provided by the Legal Aid Department. It operates three schemes that respectively provide legal representation (the Duty Lawyer Scheme), legal advice (the Legal Advice Scheme) and legal information (the Tel Law Scheme). In addition, the Service started operating the Convention Against Torture Scheme on a pilot basis since December 2009. The Duty Lawyer Scheme offers legal representation to defendants (juvenile and adult) charged in the Magistracies who cannot afford private representation. It also provides legal representation to persons who are at risk of criminal prosecution as a result of giving incriminating evidence in Coroner's inquests. Applicants are subject to a means test and merits test, based on the "interest of justice" principle in accordance with Article 14 of the ICCPR and Article 11 of the HKBOR. The Legal Advice Scheme and the Tel Law Scheme respectively provide members of the public with free legal advice through individual appointments and taped information on the legal aspects of everyday problems. The Convention Against Torture Scheme provides legal assistance to persons who have made a claim to the Immigration Department (ImmD) under Article 3 of CAT.

Legal Aid Services Council

48. The Legal Aid Services Council, an independent statutory body, was established in 1996. Its role is to oversee the administration

of the legal aid services provided by the Legal Aid Department and advise the Chief Executive on legal aid policy.

Office of The Ombudsman

49. The Ombudsman - formerly known as the Commissioner for Administrative Complaints (COMAC) - is an independent authority established under The Ombudsman Ordinance³ (Cap. 397). The Ombudsman investigates and reports on grievances arising from maladministration. "Maladministration" includes such things as inefficient, bad or improper administration, unreasonable conduct (such as delay, discourtesy and lack of consideration), abuse of power or authority and unjust or discriminatory procedures. Members of the public can complain directly to The Ombudsman, who can also initiate investigations on his own volition and may publish investigation reports of public interest. Additionally, The Ombudsman is empowered to investigate complaints of non-compliance with the Code on Access to Information.

50. Since December 2001, the Office of The Ombudsman has severed its links with the Administration and has become an independent corporation sole with full autonomy and statutory powers to conduct its own administrative and financial business. The Ordinance also specifies that The Ombudsman is not a servant or agent of the Government.

51. Subject to The Ombudsman Ordinance, The Ombudsman may obtain any information and documents from such persons as he thinks fit. He may summon any person to provide information relating to his investigations and may enter any premises of the organisations under his jurisdiction to conduct investigations. He also has sufficient means with which to ensure that his recommendations are heard and acted upon.

52. After investigating a complaint, The Ombudsman is empowered to report his opinion and reasons, together with a statement of any remedy and recommendation that is considered necessary, to the head

³ Formerly known as the COMAC Ordinance.

of the organisation affected. If the recommendation is not acted upon within a reasonable timeframe, the Ombudsman may report the matter to the Chief Executive. He may also do so if he believes that there has been a serious irregularity or injustice done. Such reports are bound by law to be laid before the Legislative Council.

53. The Ombudsman has jurisdiction over nearly all Government departments of the HKSAR and major statutory bodies. The Hong Kong Police Force and the Independent Commission Against Corruption (ICAC) are not subject to The Ombudsman's investigation, except for cases of non-compliance with the Code on Access to Information. Complaints against these departments are handled by discrete, dedicated bodies (see paragraphs 57 and 58 below).

The Equal Opportunities Commission

54. The Equal Opportunities Commission (EOC) was established under the Sex Discrimination Ordinance (SDO) in May 1996 and started full operation in September that year. The Commission is responsible for conducting formal investigations, handling complaints, encouraging conciliation between parties in dispute, providing assistance to aggrieved persons in accordance with the four anti-discrimination ordinances. It undertakes research programmes and public education to promote equal opportunities in the community. The Commission is also empowered to issue codes of practice to provide practical guidelines to facilitate public compliance with the laws on equal opportunities. Accordingly, it issued Codes of Practice on Employment in relation to the SDO and the Disability Discrimination Ordinance (DDO) in December 1996 and revised the latter in 2011 to provide updated information on the developments of the law to ensure its continued usefulness as a reference tool. It issued similar codes in relation to the Family Status Discrimination Ordinance (FSDO) in March 1998 and the Race Discrimination Ordinance (RDO) in July 2009. The Code of Practice on Education under the DDO was issued in July 2001 to assist educational establishments in fulfilling the requirements of the DDO.

55. Please refer to the section on “Information on non-discrimination and equality” below for further details in relation to the anti-discrimination ordinances and the work of the EOC.

Privacy Commissioner for Personal Data

56. The Personal Data (Privacy) Ordinance provides for regulation over the collection, holding, processing and use of personal data in both the public and private sectors. Its provisions are based on internationally accepted data protection principles. The Ordinance applies to personal data the access to or processing of which is practicable whether it is recorded in electronic, paper file, or audio-visual forms. The Ordinance provides for an independent statutory authority, the Privacy Commissioner for Personal Data, to promote, monitor and enforce compliance with its provisions. The Commissioner’s responsibilities include, among others, promoting awareness and understanding of the Ordinance, issuing codes of practice on how to comply with the Ordinance, examining proposed legislation that may affect the privacy of individuals in relation to personal data, and enforcing the Ordinance.

Complaints and investigations

The Police

57. The Complaints Against Police Office (CAPO) investigates complaints about the conduct and behaviour of members of the Hong Kong Police Force (the Police). The CAPO’s investigations are monitored and reviewed by the statutory Independent Police Complaints Council established under the Independent Police Complaints Council Ordinance which took effect on 1 June 2009. The Council’s main functions include observing, monitoring and reviewing the handling and investigation of reportable complaints by CAPO and making recommendations in respect of the handling or investigation of such complaints, and identifying any fault or deficiency in the practices or procedures adopted by the Police that has led or might lead to reportable complaints and making recommendations in respect of such practices or

procedures. The Council comprises non-official members appointed by the Chief Executive from a wide spectrum of the community.

The Independent Commission Against Corruption

58. Established in 1977, the ICAC Complaints Committee is responsible for monitoring and reviewing the ICAC's handling of non-criminal complaints against the ICAC and its officers. Being an independent committee appointed by the Chief Executive, the ICAC Complaints Committee comprises mainly Executive and Legislative Councillors and a representative of The Ombudsman. Complaints against the ICAC or its officers can be made direct to the ICAC Complaints Committee as well as the ICAC at any of its offices. The investigation of such complaints is handled by a special unit of the Operations Department of the ICAC. When the unit has completed its investigation of a complaint, its conclusions and recommendations are submitted to the ICAC Complaints Committee for consideration.

Other disciplined services

59. Other disciplined services departments maintain clear guidelines and procedures for handling complaints. For example, the Correctional Services Department (CSD), which runs HKSAR's prisons, has a Complaints Investigation Unit to manage its grievance redress system for staff, prisoners, and members of the public. These persons may also direct their complaints to the Chief Executive, members of the LegCo, The Ombudsman, visiting Justices of the Peace and other law enforcement agencies such as the ICAC and the Police. The existing complaint channels are considered effective in view of the number and the nature of complaints handled.

60. The ImmD applies complaints procedures set out in the Immigration Service Standing Orders made by the Director of Immigration under the authority of the Immigration Service Ordinance (Cap. 331). Complaints about abuse of authority or maltreatment by service members can be made to the Director of Immigration and are investigated promptly in accordance with the procedures in the Standing Orders. To ensure that all complaints are properly handled, a

Complaints Review Working Party examines the results of investigations, conducts reviews and recommends follow-up action whenever necessary. Persons who consider that they have been improperly treated or that their cases have been mismanaged also have access to The Ombudsman. If there is prima facie evidence that a member of the Immigration Service has committed a criminal offence, the Immigration Service will immediately report the matter to the Police for further investigation. Disciplinary procedures against Immigration Service staff are also governed by the Immigration Service Ordinance and the Immigration Service Standing Orders. Under Section 8 of the Immigration Service Ordinance, unlawful or unnecessary exercise of authority resulting in loss or injury to any person is a disciplinary offence.

Framework within which human rights are promoted

Promotion of public awareness of the human rights treaties

61. The Constitutional and Mainland Affairs Bureau (CMAB) of the HKSAR Government is responsible for co-ordinating and overseeing the implementation of policies relating to human rights and equal opportunities, including the promotion of public awareness of the rights and obligations stipulated in the human rights treaties applicable to Hong Kong. The Labour and Welfare Bureau (LWB) of the HKSAR Government is responsible for matters and human rights treaties relating to women and disability, including the relevant human rights treaties applicable to Hong Kong.

Dissemination of human rights treaties in the HKSAR

62. The HKSAR Government is committed to the promotion of the rights as enshrined in the human rights treaties applicable to Hong Kong. The promotion work is carried out through various channels including media campaigns in the form of television and radio announcement in the public interest (API). For example, an API produced by the CMAB to promote respect of children's rights as enshrined in the Convention on the Rights of the Child (CRC), namely, the right to life, development, protection and participation, was launched in June 2009. A major publicity campaign, including a series of

television thematic docudrama and documentary, a package of television and radio APIs, and advertisements on newspapers and public transport facilities has been launched by LWB since August 2009 to promote the spirit and values enshrined in the United Nations Convention on the Rights of Persons with Disabilities (CRPD). A series of publicity programmes in the form of roving exhibitions, school educational dramas and district activities have been carried out by LWB on an on-going basis to promote public awareness on the United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

63. The Government also produces bilingual booklets on the text of the human rights treaties (in both Chinese and English, the official languages of the HKSAR). Furthermore, publications such as bilingual booklets, newsletters and leaflets on these treaties, with illustrations of the principal provisions and in languages which are easy to understand, are published. These publications aim to enhance the promotion of the treaties to members of the public, including parents and children. The publications are widely distributed to the public, including schools, libraries, district offices and non-government organisations (NGOs), and have been uploaded onto the Government website.

64. The processes undertaken by the HKSAR Government in consulting the public in preparing reports to the United Nations treaty monitoring bodies, publication of the report, dissemination of Concluding Observations of the United Nations treaty monitoring bodies to the public and discussing them with stakeholders concerned also provide opportunities for promoting the human rights treaties to the public. These are elaborated below under the section on “Reporting process”.

Human rights education among public officials and professionals

65. The HKSAR Government provides training and education to Government officials including legal officers and operational staff of the disciplinary forces in relation to the Basic Law, which provides the constitutional guarantees for human rights protection in the HKSAR, and other human rights subjects such as application of human rights treaties, equal opportunities and the HKBORO.

(a) Government officials in general

66. The Civil Service Bureau and the Civil Service Training and Development Institute organise seminars for Government officers at different ranks. These include seminars on the Basic Law, equal opportunities (in collaboration with the EOC and/or NGOs) and other areas of human rights.

67. Major components of the CRPD, the HKBORO and the anti-discrimination ordinances have also been incorporated into seminars and courses for newly recruited Government officers. We also organise tailored courses for departments with frequent and extensive contacts with members of the public with a view to enhancing the knowledge of the officers on applying CRPD, the anti-discrimination ordinances and related code of practice in their daily work.

68. In addition to the above, training is provided to Government officers of different grades and ranks to raise their gender awareness and understanding of gender-related issues. Such training includes seminars and workshops which cover CEDAW and other instruments that protect women's interests and their application in Hong Kong. The LWB has also developed a web-portal and a web course on gender mainstreaming for reference by all Government officers.

(b) Legal officers

69. The Department of Justice organises training sessions for Government legal officers. Some of those sessions deal with international human rights law and human rights protection under the Basic Law. Others focus on specific areas according to the specialised needs of the different divisions of the Department. For example, the Prosecutions Division of the Department of Justice organises criminal advocacy courses for prosecutors and during which prosecutors are acquainted with the Juvenile Offenders Ordinance (Cap. 226), the Protection of Children and Juveniles Ordinance (Cap. 213), relevant international standards, and the court proceedings in relation to the juvenile justice system. Counsel of the Department also attend seminars

and conferences organised by universities and academic institutions and overseas conferences on human rights.

(c) Operational staff of the disciplinary forces

70. Training of disciplined services invariably includes reference to human rights. The ImmD, the Customs and Excise Department and the CSD have incorporated lectures on the HKBORO and gender-related trainings into their regular in-service and training programmes for new recruits. Human rights and equality principles are part of the foundation training for the Police Force's new recruits and probationary inspectors. The continued training programmes for in-service officers also cover these topics.

71. The ICAC provides training and issues orders to all investigating officers to ensure compliance with the statutory requirements concerning the treatment of victims, witnesses and suspects. Officers are trained to treat all suspects and witnesses in accordance with the Basic Law and Bill of Rights Ordinance. To this end, the ICAC provides training to officers on voluntariness of admissions and confessions to ensure that there is no oppression, violence or threats, and particular attention is paid to Article 3 of the Hong Kong Bill of Rights (no torture or inhuman treatment) and Article 6 (rights of persons deprived of their liberty). The ICAC is also bound by the ICAC (Treatment of Detained Persons) Order (Cap. 204A) Laws of Hong Kong, which imposes statutory duties on the Commission in respect of the rights, treatment and well-being of all persons arrested and detained by the ICAC. The ICAC has promulgated Commission Standing Orders that deal with the treatment of witnesses, victims and suspects.

Human rights training for judges, judicial officers and support staff of the Judiciary

72. Hong Kong's Judiciary operates within the international world of the Common Law and follows developments in all areas of law - including human rights law - in other common law jurisdictions. The Judicial Studies Board provides continuing education and training for judges and judicial officers. Human rights law is one of many areas that

are emphasised. They participate in visits and human rights seminars both locally and overseas. Talks on anti-discrimination ordinances and seminars on the Personal Data (Privacy) Ordinance are arranged regularly for the support staff of the Judiciary to enhance their understanding and knowledge on these ordinances and to raise their awareness on human rights, equal opportunities and protection of personal data. Staff also attend the training on Basic Law organised by the Civil Service Training and Development Institute.

Promotion of human rights in general

73. The Committee on the Promotion of Civic Education (CPCE) is an advisory body under the Home Affairs Bureau to promote civic education outside schools and to enhance general public's civic awareness. As human rights education forms part and parcel of civic education, CPCE continues to promote public understanding of and respect for human rights when it promotes civic education. Separately, a Basic Law Promotion Steering Committee, chaired by the Chief Secretary for Administration, was established in January 1998 to guide promotional strategy.

74. The EOC, an independent statutory body to enforce the anti-discrimination ordinances, also has the important function of promoting equal opportunities in respect of sex, disability, family status and race. Please refer to the section on "Information on non-discrimination and equality" below on the work of the EOC.

75. The HKSAR Government also promotes the rights under the international human rights treaties applicable to the HKSAR through other measures, such as sponsoring and co-operating with NGOs to promote awareness and public education through funding schemes and other initiatives.

Promotion of human rights in schools

76. Education in schools is an important aspect in the promotion of children's rights and human rights in general. Human rights education is integral to the school curriculum and is addressed in a wide

range of subjects at different key stages of learning. These curriculum areas have been strengthened in the core subject of Liberal Studies implemented at senior secondary level starting from the 2009-10 school year. Students are provided with ample opportunities to develop concepts and values in relation to human rights in the existing school curriculum. Important concepts and values on human rights, such as the right to life, freedom (e.g. speech and religion), privacy, respect for all peoples (e.g. different nationalities and their cultures, and ways of life), equality (e.g. gender equality), anti-discrimination and gender awareness (e.g. race and sex) are discussed through the learning and teaching of various subjects in primary and secondary schools. Students' concepts and understanding of human rights are strengthened progressively from a basic understanding of the rights and responsibilities to more complex concepts of human rights.

77. Besides, students may also get acquainted with the concepts and values of human rights through various school-based programmes, such as class teacher periods, assemblies, talks, as well as other learning experiences such as discussion forums, debates, services and visits.

78. Civic education, human rights education and education against discrimination are integral to the curriculum and are addressed in a wide range of subjects at different key stages of learning such as General Studies at primary level, curricula under the Personal, Social and Humanity Education at secondary level, the core subject of Liberal Studies implemented in the New Senior Secondary curriculum and Moral and National Education Subject to be developed by the Ad Hoc Committee on Moral and National Education under the Curriculum Development Council, and expected to be implemented at secondary and primary levels. The Education Bureau, on the basis of the current school curriculum, deepen students' understanding of the Basic Law and the related provisions and concepts relating to human rights and the rule of law by developing a series of learning and teaching packages for senior primary and junior secondary students and put in place a Basic Law assessment database. To support schools in promoting the concepts and values pertaining to these curriculum areas, professional development programmes and resources support are provided to empower teachers' professional capability to implement these curricula. Relevant learning

activities and programmes are provided to deepen students' understanding of the concepts and values relating to civic education, human rights education and education against discrimination.

Participation of NGOs in promotion of human rights

79. A number of organisations are dedicated to the promotion of human rights in Hong Kong. Some focus on a particular aspect of human rights such as the rights of ethnic minorities, children, persons with disabilities, or women. Others have a wider scope, embracing all, or most of, the issues addressed in the human rights treaties.

80. The HKSAR Government has increasingly engaged or collaborated with NGOs in matters relevant to the promotion of human rights. This include seeking their views during the preparation of reports in respect of the HKSAR under the United Nations human rights treaties and in considering follow-up actions on the Concluding Observations, seeking their views on issues of policy and other matters concerning human rights, as well as co-operation on public promotion and provision of support services.

81. To strengthen the liaison with the NGOs, a number of forums have been established to provide platforms for exchanging views with NGOs on various issues concerning human rights. These include:

(a) *Human Rights Forum*

82. The Forum first met in October 2003. It provides a platform for NGOs to have regular meetings with the Government for discussions on various human rights issues, including the implementation of various human rights treaties as well as other issues of concern, such as those on ethnic minorities and human rights education.

(b) *Children's Rights Forum*

83. The Children's Rights Forum aims to provide a platform for exchanging views on matters concerning children's rights among the Government, children's representatives, NGOs focusing on children's

rights and other human rights NGOs. The first meeting was held on 2 December 2005.

(c) *Ethnic Minorities Forum*

84. The Forum provides a channel of communication between the Government and Hong Kong's ethnic minority communities and organisations dedicated to serving them. It helps to identify the concerns and needs of the ethnic communities and discuss possible ways of addressing them. The first meeting was held on 30 July 2003.

(d) *Sexual Minorities Forum*

85. The Forum was established in 2004. It provides a platform for the Government, NGOs and interested parties to exchange views on issues concerning sexual minorities in Hong Kong, including the promotion of equal opportunities for people with different sexual orientations and transgendered persons.

86. The agenda and notes of the meetings of the above forums are publicly available on the Government website.

Reporting process

87. The Central People's Government submits reports in respect of the HKSAR under various human rights treaties applicable to the HKSAR. Under the established practice, the HKSAR Government would consult the public in the drafting of each report. The HKSAR Government would set out in an outline the broad subject headings and individual topics that it envisages to cover in the report. The outline would be widely distributed to stakeholders, including the LegCo and members of relevant forums, and to the general public through various means such as the HKSAR Government's website. Discussions with members of the relevant forums and NGOs would be arranged. The public are also invited to suggest additional topics that ought to be included in the report. The outline would also be discussed at the LegCo, and usually representatives of interested NGOs would be invited by the LegCo to present their views.

88. Comments and suggestions raised by commentators would be considered. Respective responses of the HKSAR Government would be incorporated in the relevant sections of the reports as appropriate.

89. The HKSAR section of the report will be made available, in both English and Chinese, to stakeholders, including the LegCo and interested NGOs, and will be distributed to the public at the Public Enquiry Service Centres of the Home Affairs Department (HAD), public libraries and the Government website, after the report has been submitted to the United Nations and released by the United Nations. The report would also be discussed at the LegCo.

Follow-up to Concluding Observations of human rights treaty bodies

90. In accordance with the established practice, following the issue of the Concluding Observations by the human rights treaty bodies, we would widely disseminate the Concluding Observations among all levels of society, including the LegCo, the relevant Government bureaux and departments, the Judiciary, NGOs and other interested parties. At the same time, we would also issue a press release to the media on the Concluding Observations and the preliminary response of the HKSAR Government. The Concluding Observations would also be made available to the public through the Government website. We would discuss the Concluding Observations and the HKSAR Government's initial response with the LegCo and relevant forums. Follow up actions on the Concluding Observations would also be discussed from time to time at the LegCo and at various forums as appropriate.

Information on non-discrimination and equality

91. The general constitutional and legislative framework to guarantee equality before the law, as well as the relevant institutional framework, has been described above in respect of the framework on the protection of human rights.

Equal Opportunities Commission

92. As outlined above, the EOC is responsible for the implementation of four anti-discrimination ordinances in the HKSAR and promotion of equal opportunities in the respective areas. These ordinances are outlined below.

Anti-discrimination ordinances

93. The SDO and the DDO came into full operation in December 1996. Under the SDO, it is unlawful to discriminate against or harass a person on the grounds of sex, marital status or pregnancy in the specified areas of activities. The law applies to both males and females. Under the DDO, it is unlawful to vilify a person with a disability in public, or discriminate against or harass a person on the ground of disability in the specified areas of activities.

94. The FSDO came into force in November 1997. Under the FSDO, it is unlawful to discriminate against a person on the ground of family status. Family status means the status of having a responsibility for the care of an immediate family member. Immediate family member, in relation to a person, means someone who is related to the person concerned by blood, marriage, adoption or affinity.

95. The RDO came into full operation in July 2009. Race in relation to a person means the race, colour, descent, national or ethnic origin of the person. It is unlawful under the RDO to vilify a person on the ground of race in public, or discriminate against or harass a person on the ground of race, in specified areas of activities.

96. The areas of activities covered by the four abovementioned ordinances are broadly the same, including employment; education; provision of goods, facilities or services; disposal or management of premises; eligibility to vote for and to stand for election of public bodies; and participation in clubs.

Investigation and Conciliation

97. The EOC investigates into complaints lodged under the four ordinances and encourages conciliation between the parties in dispute. Where conciliation fails, a complainant may apply to the EOC for other forms of assistance including legal assistance. The EOC also conducts formal investigation into discriminatory practices where appropriate.

Education and Promotion

98. The EOC is committed to promoting the concept of equal opportunities through education and promotion. The EOC builds partnership with the Government and NGOs in working towards the elimination of discrimination. Public education and publicity programmes to raise awareness and promote better understanding of equal opportunities concepts include organising talks, seminars and workshops for different target groups; publishing quarterly newsletters; organising roadshows and exhibitions; developing programmes for students and producing TV and radio announcements and programmes. In order to encourage community participation, the Community Participation Funding Programme on Equal Opportunities is in place to assist community groups to organise their own activities to promote equal opportunities. The EOC also seeks to achieve its vision through partnership projects with all sectors in the community. Calendar and tailor-made training programmes are conducted to raise awareness of discrimination and harassment within organisations and Government departments to equip them with the skills to deal with the situation should such problems arise.

Research and Policy Advocacy

99. The EOC commissions various research studies and baseline surveys to examine why discrimination takes place, the overall attitudes and perceptions of equal opportunities within the community. The research studies will help the EOC to develop its strategy, monitor the attitude change and provide benchmarks for future studies. Besides, the Policy and Research Committee of the EOC would also advise on measures to be taken by the EOC in conducting policy advocacy and

related follow-up actions.

Review of relevant legislation and issuing codes of practice and guidelines

100. The EOC keeps under review the anti-discrimination ordinances and submit proposals for amendments to the Government as it thinks fit. It also issues codes of practice under the ordinances and other guidelines. The Codes of Practice on Employment are issued to assist employers and employees in understanding their responsibilities under the ordinances and to provide practical guidelines to management on procedures and practices that can help prevent discrimination and other unlawful acts in the workplace.

101. Copies of the codes of practice under the four ordinances as well as a series of other publications explaining the provisions of the ordinances are available at the EOC office and its website. The EOC website also provides up-to-date information on equal opportunities issues in Hong Kong and around the world.

Administrative measures on promotion of non-discrimination and equality

Women

102. Since the extension of the CEDAW to Hong Kong in October 1996, we have been striving to adhere to the principles of CEDAW and promote public awareness of the Convention.

103. The HKSAR Government set up the Women's Commission (WoC) in 2001 as a high-level central mechanism to advise and assist the HKSAR Government on women's issues and to champion for women's interests. The WoC is tasked to take a strategic overview on women issues, develop a long-term vision and strategy for the development and advancement of women, and to advise the HKSAR Government on policies and initiatives which are of concern to women.

104. To achieve its mission of enabling women in Hong Kong to fully realise their due status, rights and opportunities in all aspects of life, the WoC has adopted a three-pronged strategy, namely the provision of an enabling environment, empowerment of women through capacity building and public education, in promoting the interest and well-being of women. Apart from offering advice to the HKSAR Government on women-related policies and initiatives, the Commission also commissions researches and surveys, organises publicity and public education programmes and maintains close liaison with women's groups and different sectors of the community with a view to promoting interests of women in Hong Kong.

Ethnic minorities

105. In respect of the promotion of racial equality, besides legislation, we believe that public education and support services are also important for better integration of ethnic minorities into the community. We have, over the years, launched various initiatives to promote racial harmony and to assist integration of the ethnic minorities in Hong Kong.

106. The Committee on the Promotion of Racial Harmony was established in 2002 to advise the HKSAR Government on public education and publicity in this area. The Race Relations Unit (RRU), established also in 2002 by the Government, serves as the secretariat to the Committee on the Promotion of Racial Harmony and implements the programmes and activities.

107. The RRU operates a number of programmes to promote racial equality and facilitate the integration of ethnic minorities into society, either by organising activities or through sponsoring the work of NGOs. Such programmes include language programmes, integration activities, radio programmes in the languages of the ethnic minorities, and community teams to provide support services to the ethnic minority groups. Starting from 2009, we have provided funding for four NGOs to establish and operate four support service centres for ethnic minorities in Hong Kong. They provide Chinese and English language training, orientation programmes, counselling and referral services, interest classes, and other support services to ethnic minorities. One of the four centres

provides telephone and on-site interpretation services to facilitate ethnic minorities' access to public services.

108. In 2010, the HKSAR Government also issued Administrative Guidelines to provide general guidance to concerned Government bureaux and departments and relevant public authorities to promote racial equality and ensure equal access by ethnic minorities to public services in key areas concerned, and to take this into account in their formulation, implementation and review of relevant policies and measures.

Children's rights

109. In the HKSAR, matters concerning children cover a wide range of policies. They are taken care of by the respective policy bureaux of the HKSAR Government. The best interests of the child are necessary considerations in all relevant decision-making, including legislative proposals and policies, and are taken into account as a matter of course. Advice would be sought from Government experts on human rights and international law where necessary to ensure compliance.

110. Certain child-related policies and measures may involve more than one bureau or department. Mechanisms are in place within the HKSAR Government for co-ordinating and handling policies that involve different bureaux and departments. Mechanisms within the Administration continue to serve the need of co-ordinating policies and measures among Government bureaux and departments, ensuring that adequate consideration is given to the interests of children.

111. In 2006, the HKSAR Government established the Children's Rights Education Funding Scheme, which provides financial support for community organisations to carry out educational projects to raise public awareness and understanding of the Convention on the Rights of the Child and the children's rights enshrined in it. The Scheme accepts open application for funding on an annual basis. The HKSAR Government also collaborates with NGOs from time to time to undertake worthy projects for the promotion of children's rights.

People of different sexual orientation and transgendered persons

112. We have been promoting equal opportunities for people of different sexual orientation and transgendered persons through various measures. In addition to setting up a Sexual Minorities Forum mentioned above, we also set up a Gender Identity and Sexual Orientation Unit in 2005 to promote equal opportunities for the sexual minorities. Since 1998, we have been operating a funding scheme to support worthwhile community projects which aim at promoting equal opportunities on grounds of sexual orientation or gender identity, or seek to provide support services for the sexual minorities. The Administration will continue to promote equal opportunities for sexual minorities through public education and publicity measures such as poster campaigns and broadcasting APIs through radio.

Persons with disabilities

113. The CRPD entered into force for China and applied to the HKSAR on 31 August 2008. States Parties to the Convention undertake to adopt all appropriate legislative, administrative and other measures for the implementation of the rights of persons with disabilities recognised in the Convention. With the existing DDO affording protection against discrimination on the ground of disability, and the Mental Health Ordinance (Cap. 136) safeguarding the rights of mental patients, the HKSAR has been well positioned to meet the objectives of this Convention.

114. Measures have been taken to ensure that all bureaux and departments are fully aware of the need to take due account of this Convention's provisions in formulating policies and implementing programmes. The HKSAR Government will also continue to work with the Rehabilitation Advisory Committee, the principal advisory body to the HKSAR Government on matters pertaining to the well-being of persons with disabilities and the development and implementation of rehabilitation policies and services in Hong Kong, the rehabilitation sector and the community at large to ensure compliance with the Convention, to provide support to promote participation by persons with disabilities in society and to facilitate the enjoyment of their rights under

this Convention. The HKSAR Government has also been actively promoting the spirit and core values of this Convention to the community.

Demographic indicators and social, economic and cultural indicators

A. Demographic Indicators

(a) : Population size

Year	Population size
2007	6 916 300
2008	6 957 800
2009	6 972 800
2010	7 024 200
2011	7 071 600

(b) : Population growth rate

Year	Population growth rate
2007	0.9%
2008	0.6%
2009	0.2%
2010	0.7%
2011	0.7%

(c) : Population Density⁽¹⁾ by Area

	Persons per sq. km				
	2007	2008	2009	2010	2011
Hong Kong Island	16 140	16 340	16 150	16 140	15 920
Kowloon	43 280	43 190	43 790	44 260	44 920
New Territories and Islands	3 770	3 800	3 800	3 830	3 870
Total	6 400	6 440	6 450	6 500	6 540

Note : Figures refer to end-June of the year.

⁽¹⁾ Excluding marine population and area of reservoirs.

(d) : Population aged 5 and over by usual language and ethnicity, 2001

Ethnicity	Usual language / dialects								Total
	Cantonese	English	Putonghua	Other Chinese dialects	Filipino	Indonesian	Japanese	Others	
Chinese	5 657 076	20 942	54 240	351 274	338	3 768	520	2 704	6 090 862
Filipino	7 378	121 710	146	220	11 605	26	41	230	141 356
Indonesian	36 357	5 697	408	420	-	7 332	8	197	50 419
Indian	577	6 892	36	107	15	220	-	8 861	16 708
Nepalese	242	895	8	9	8	16	-	10 415	11 593
Japanese	521	1 033	123	29	-	-	11 207	25	12 938
Thai	10 576	671	64	189	14	-	8	2 705	14 227
Pakistani	692	1 160	9	-	1	23	-	7 579	9 464
Korean	368	837	22	14	-	-	73	3 530	4 844
Other Asian	3 284	2 320	135	75	8	18	-	1 442	7 282
White	1 382	35 116	127	16	17	7	15	4 640	41 320
Others	8 519	6 325	92	209	95	32	180	1 274	16 726
Total	5 726 972	203 598	55 410	352 562	12 101	11 442	12 052	43 602	6 417 739

Note: The figures exclude mute persons.

(d) (cont'd) : Population aged 5 and over by usual language and ethnicity, 2006

Ethnicity	Usual language / dialects								Total
	Cantonese	English	Putonghua	Other Chinese dialects	Filipino	Indonesian	Japanese	Others	
Chinese	5 923 974	33 163	57 530	287 663	392	2 781	1 172	3 452	6 310 127
Filipino	8 488	95 686	344	183	6 842	10	50	157	111 760
Indonesian	66 349	13 224	1 831	297	-	5 708	40	329	87 778
Indian	1 373	6 871	36	97	-	380	20	10 285	19 062
Nepalese	913	1 080	30	23	-	20	-	12 644	14 710
Japanese	1 066	1 452	109	59	8	-	9 541	51	12 286
Thai	9 534	537	75	100	-	-	10	1 496	11 752
Pakistani	913	1 263	-	40	-	-	-	7 483	9 699
Korean	651	746	84	20	-	-	30	3 034	4 565
Other Asian	4 170	1 900	294	169	-	18	-	1 113	7 664
White	3 729	25 586	261	71	29	-	10	3 801	33 487
Others	9 800	5 773	265	305	135	121	182	873	17 454
Total	6 030 960	187 281	60 859	289 027	7 406	9 038	11 055	44 718	6 640 344

Note: The figures exclude mute persons.

(d) (cont'd) : Population aged 5 and over by usual language and ethnicity, 2011

Ethnicity	Usual language / dialects								Total
	Cantonese	English	Putonghua	Other Chinese dialects	Filipino	Indonesian	Japanese	Others	
Chinese	5 957 039	45 859	89 956	272 442	482	2 381	1 286	3 751	6 373 196
Filipino	5 369	110 414	226	28	15 848	-	-	274	132 159
Indonesian	93 774	19 778	3 458	165	6	15 437	-	599	133 217
Indian	1 213	9 875	-	-	2	81	-	15 364	26 535
Nepalese	344	808	-	-	-	-	-	14 121	15 273
Japanese	463	2 048	123	-	-	-	9 190	50	11 874
Thai	8 083	786	27	169	9	-	-	2 001	11 075
Pakistani	873	1 485	7	-	-	-	-	13 409	15 774
Korean	335	935	63	-	-	-	108	3 462	4 903
Other Asian	1 685	2 988	186	38	31	8	-	1 824	6 760
White	7 620	37 119	202	466	-	32	77	5 678	51 194
Others	18 415	6 193	151	437	82	179	309	707	26 473
Total	6 095 213	238 288	94 399	273 745	16 460	18 118	10 970	61 240	6 808 433

Note: The figures exclude mute persons.

(e) : Population by ethnicity, sex and age group, 2001

Ethnicity / Sex		Age group						Total	
		< 15	15 - 24	25 - 34	35 - 44	45 - 54	55 - 64		65+
Chinese	Male	554 607	448 338	480 454	632 133	479 639	263 572	343 164	3 201 907
	Female	516 762	422 267	504 145	642 269	448 775	228 117	400 197	3 162 532
	Total	1 071 369	870 605	984 599	1 274 402	928 414	491 689	743 361	6 364 439
Filipino	Male	1 377	418	1 772	2 074	1 021	301	96	7 059
	Female	1 303	11 809	61 713	46 580	12 603	1 308	181	135 497
	Total	2 680	12 227	63 485	48 654	13 624	1 609	277	142 556
Indonesian	Male	74	130	184	150	242	189	119	1 088
	Female	91	20 968	22 885	4 313	624	297	228	49 406
	Total	165	21 098	23 069	4 463	866	486	347	50 494
Indian	Male	1 974	1 219	2 268	1 594	1 129	713	406	9 303
	Female	1 716	1 361	2 704	1 411	1 092	613	343	9 240
	Total	3 690	2 580	4 972	3 005	2 221	1 326	749	18 543
Nepalese	Male	734	1 180	2 891	1 350	380	621	39	7 195
	Female	571	1 601	2 230	671	163	101	32	5 369
	Total	1 305	2 781	5 121	2 021	543	722	71	12 564
Japanese	Male	1 718	130	1 313	2 513	1 171	561	106	7 512
	Female	1 533	206	2 206	1 931	485	213	94	6 668
	Total	3 251	336	3 519	4 444	1 656	774	200	14 180
Thai	Male	96	128	418	310	120	46	31	1 149
	Female	137	782	4 115	4 845	2 702	559	53	13 193
	Total	233	910	4 533	5 155	2 822	605	84	14 342
Pakistani	Male	1 625	1 655	2 022	685	453	622	203	7 265
	Female	1 506	601	761	437	174	188	85	3 752
	Total	3 131	2 256	2 783	1 122	627	810	288	11 017
Korean	Male	741	110	358	655	190	82	30	2 166
	Female	682	211	928	807	335	81	53	3 097
	Total	1 423	321	1 286	1 462	525	163	83	5 263
Other Asian	Male	314	239	832	748	361	129	149	2 772
	Female	422	751	1 755	1 056	482	197	137	4 800
	Total	736	990	2 587	1 804	843	326	286	7 572
White	Male	4 684	1 178	6 030	7 368	4 700	2 147	649	26 756
	Female	4 377	1 277	4 427	4 519	2 548	852	338	18 338
	Total	9 061	2 455	10 457	11 887	7 248	2 999	987	45 094
Others	Male	6 413	1 914	950	875	485	343	192	11 172
	Female	5 960	1 972	1 168	1 193	543	190	127	11 153
	Total	12 373	3 886	2 118	2 068	1 028	533	319	22 325
Total	Male	574 357	456 639	499 492	650 455	489 891	269 326	345 184	3 285 344
	Female	535 060	463 806	609 037	710 032	470 526	232 716	401 868	3 423 045
	Total	1 109 417	920 445	1 108 529	1 360 487	960 417	502 042	747 052	6 708 389

(e) (cont'd) : Population by ethnicity, sex and age group, 2006

Ethnicity / Sex		Age group						Total	
		< 15	15 - 24	25 - 34	35 - 44	45 - 54	55 - 64		65+
Chinese	Male	468 191	441 725	446 987	533 983	577 864	336 456	390 243	3 195 449
	Female	439 195	425 344	484 250	625 854	578 648	317 478	455 930	3 326 699
	Total	907 386	867 069	931 237	1 159 837	1 156 512	653 934	846 173	6 522 148
Filipino	Male	1 225	337	1 218	1 468	1 007	409	156	5 820
	Female	1 242	7 279	38 717	40 695	15 966	2 237	497	106 633
	Total	2 467	7 616	39 935	42 163	16 973	2 646	653	112 453
Indonesian	Male	111	115	324	185	161	225	146	1 267
	Female	115	21 541	49 493	12 372	2 123	603	326	86 573
	Total	226	21 656	49 817	12 557	2 284	828	472	87 840
Indian	Male	1 941	927	2 645	2 246	992	1 154	529	10 434
	Female	1 754	1 034	2 892	1 947	928	1 018	437	10 010
	Total	3 695	1 961	5 537	4 193	1 920	2 172	966	20 444
Nepalese	Male	1 476	760	2 263	2 193	516	531	207	7 946
	Female	1 416	1 101	3 021	1 660	365	321	120	8 004
	Total	2 892	1 861	5 284	3 853	881	852	327	15 950
Japanese	Male	1 444	189	913	2 134	1 310	524	166	6 680
	Female	1 423	277	1 350	2 460	673	221	105	6 509
	Total	2 867	466	2 263	4 594	1 983	745	271	13 189
Thai	Male	200	185	290	302	58	60	20	1 115
	Female	166	393	2 156	3 855	2 886	985	344	10 785
	Total	366	578	2 446	4 157	2 944	1 045	364	11 900
Pakistani	Male	1 993	711	1 606	1 074	361	383	253	6 381
	Female	1 833	667	1 111	488	228	127	276	4 730
	Total	3 826	1 378	2 717	1 562	589	510	529	11 111
Korean	Male	411	255	308	603	399	110	67	2 153
	Female	465	169	480	1 034	332	127	52	2 659
	Total	876	424	788	1 637	731	237	119	4 812
Other Asian	Male	393	180	534	744	549	251	241	2 892
	Female	328	484	1 600	1 191	666	400	290	4 959
	Total	721	664	2 134	1 935	1 215	651	531	7 851
White	Male	3 025	1 237	4 581	7 095	4 279	2 317	1 047	23 581
	Female	2 977	948	2 675	3 049	1 675	941	538	12 803
	Total	6 002	2 185	7 256	10 144	5 954	3 258	1 585	36 384
Others	Male	4 141	1 582	1 056	817	754	551	337	9 238
	Female	4 210	1 565	1 656	1 406	1 048	672	469	11 026
	Total	8 351	3 147	2 712	2 223	1 802	1 223	806	20 264
Total	Male	484 551	448 203	462 725	552 844	588 250	342 971	393 412	3 272 956
	Female	455 124	460 802	589 401	696 011	605 538	325 130	459 384	3 591 390
	Total	939 675	909 005	1 052 126	1 248 855	1 193 788	668 101	852 796	6 864 346

(e) (cont'd) : Population by ethnicity, sex and age group, 2011

Ethnicity / Sex		Age group						Total	
		< 15	15 - 24	25 - 34	35 - 44	45 - 54	55 - 64		65+
Chinese	Male	403 751	429 344	437 009	454 148	592 476	451 111	432 289	3 200 128
	Female	375 489	411 122	480 828	560 316	642 353	451 044	499 113	3 420 265
	Total	779 240	840 466	917 837	1 014 464	1 234 829	902 155	931 402	6 620 393
Filipino	Male	1 643	738	1 267	2 002	1 473	558	209	7 890
	Female	1 275	3 278	44 573	46 553	23 770	5 210	469	125 128
	Total	2 918	4 016	45 840	48 555	25 243	5 768	678	133 018
Indonesian	Male	133	69	295	205	71	47	115	935
	Female	169	12 336	85 469	31 641	2 184	436	207	132 442
	Total	302	12 405	85 764	31 846	2 255	483	322	133 377
Indian	Male	2 862	1 267	3 501	2 866	1 620	1 003	1 032	14 151
	Female	2 905	1 698	3 674	3 014	1 493	753	928	14 465
	Total	5 767	2 965	7 175	5 880	3 113	1 756	1 960	28 616
Nepalese	Male	1 935	1 151	1 767	2 285	1 112	270	236	8 756
	Female	1 627	1 370	2 156	1 565	724	204	116	7 762
	Total	3 562	2 521	3 923	3 850	1 836	474	352	16 518
Japanese	Male	1 092	151	711	1 669	1 832	844	377	6 676
	Female	1 060	226	1 013	2 224	862	400	119	5 904
	Total	2 152	377	1 724	3 893	2 694	1 244	496	12 580
Thai	Male	198	73	257	465	169	5	9	1 176
	Female	200	193	1 283	3 098	3 236	1 651	376	10 037
	Total	398	266	1 540	3 563	3 405	1 656	385	11 213
Pakistani	Male	3 602	1 277	1 693	2 130	507	318	538	10 065
	Female	3 546	853	1 985	938	309	309	37	7 977
	Total	7 148	2 130	3 678	3 068	816	627	575	18 042
Korean	Male	440	150	387	633	381	205	92	2 288
	Female	457	140	571	919	473	258	103	2 921
	Total	897	290	958	1 552	854	463	195	5 209
Other Asian	Male	431	299	418	555	522	274	170	2 669
	Female	409	381	1 208	1 079	658	451	183	4 369
	Total	840	680	1 626	1 634	1 180	725	353	7 038
White	Male	4 743	2 084	5 671	8 311	6 587	3 805	2 346	33 547
	Female	4 552	1 947	3 841	4 886	3 562	2 050	851	21 689
	Total	9 295	4 031	9 512	13 197	10 149	5 855	3 197	55 236
Others	Male	5 418	2 372	2 282	1 871	1 331	616	844	14 734
	Female	5 623	2 715	2 261	1 912	1 725	813	553	15 602
	Total	11 041	5 087	4 543	3 783	3 056	1 429	1 397	30 336
Total	Male	426 248	438 975	455 258	477 140	608 081	459 056	438 257	3 303 015
	Female	397 312	436 259	628 862	658 145	681 349	463 579	503 055	3 768 561
	Total	823 560	875 234	1 084 120	1 135 285	1 289 430	922 635	941 312	7 071 576

(f) : Population by age group and sex, mid-2007 to mid-2011

Age group	Mid-2007			Mid-2008			Mid-2009			Mid-2010			Mid-2011		
	Male	Female	Both sexes	Male	Female	Both sexes	Male	Female	Both sexes	Male	Female	Both sexes	Male	Female	Both sexes
0 - 4	111 300	103 200	214 500	114 000	105 200	219 200	117 700	108 300	226 000	124 200	113 800	238 000	129 500	119 700	249 200
5 - 9	152 600	141 700	294 300	146 000	134 400	280 400	136 300	126 600	262 900	131 100	122 100	253 200	125 800	117 400	243 200
10-14	209 900	199 800	409 700	203 400	193 200	396 600	192 300	182 600	374 900	181 500	171 500	353 000	170 900	160 200	331 100
15-19	226 100	214 800	440 900	226 800	214 300	441 100	221 800	209 300	431 100	220 300	207 700	428 000	217 300	206 400	423 700
20-24	221 300	244 000	465 300	217 900	238 900	456 800	218 900	235 400	454 300	219 900	231 800	451 700	221 700	229 800	451 500
25-29	226 700	287 000	513 700	230 500	297 300	527 800	230 600	301 700	532 300	230 300	304 600	534 900	229 500	304 600	534 100
30-34	236 700	313 100	549 800	230 200	311 000	541 200	225 000	310 800	535 800	223 300	315 900	539 200	225 800	324 200	550 000
35-39	243 400	331 700	575 100	241 300	334 100	575 400	240 000	331 700	571 700	238 700	332 000	570 700	234 500	328 100	562 600
40-44	293 100	358 600	651 700	277 100	344 400	621 500	262 700	334 400	597 100	250 000	329 900	579 900	242 700	330 000	572 700
45-49	320 100	337 700	657 800	320 100	348 200	668 300	315 900	354 700	670 600	307 700	357 900	665 600	295 300	356 400	651 700
50-54	276 400	280 800	557 200	289 600	295 700	585 300	299 300	306 900	606 200	307 700	317 700	625 400	312 800	324 900	637 700
55-59	222 200	219 400	441 600	228 900	229 000	457 900	236 900	239 000	475 900	243 700	247 400	491 100	253 900	259 200	513 100
60-64	140 800	131 700	272 500	155 100	148 500	303 600	169 600	165 800	335 400	188 200	186 800	375 000	205 100	204 500	409 600
65-69	122 500	112 300	234 800	118 700	107 100	225 800	118 300	105 300	223 600	119 300	107 400	226 700	121 500	112 800	234 300
70-74	115 400	119 700	235 100	116 100	119 600	235 700	115 300	118 400	233 700	116 700	116 900	233 600	116 700	113 700	230 400
75-79	86 900	98 600	185 500	91 300	101 800	193 100	95 800	105 500	201 300	96 300	107 200	203 500	97 000	108 200	205 200
80-84	47 800	71 700	119 500	50 400	74 200	124 600	53 200	76 600	129 800	57 600	79 600	137 200	62 300	83 800	146 100
85+	30 700	66 600	97 300	32 800	70 700	103 500	35 200	75 000	110 200	37 800	79 700	117 500	40 700	84 700	125 400
Total	3 283 900	3 632 400	6 916 300	3 290 200	3 667 600	6 957 800	3 284 800	3 688 000	6 972 800	3 294 300	3 729 900	7 024 200	3 303 000	3 768 600	7 071 600

Note : The Population Census conducted from June to August 2011 provides a benchmark for revising the population figures compiled since the 2006 Population By-census. The population-related figures from 2007 to 2011 have been revised accordingly.

(g) : Dependency ratio

Year	Child dependency ratio ⁽¹⁾	Elderly dependency ratio ⁽²⁾	Overall dependency ratio ⁽³⁾
2007	179	170	349
2008	173	170	343
2009	166	172	338
2010	160	175	335
2011	155	177	333

Notes:

(1) The number of persons aged under 15 per 1 000 persons aged between 15 and 64.

(2) The number of persons aged 65 and over per 1 000 persons aged between 15 and 64.

(3) The number of persons aged under 15 and aged 65 and over per 1 000 persons aged between 15 and 64.

(h) : Statistics on Births

	2007	2008	2009	2010	2011 [#]
Number of births					
Male	37 448	41 928	43 966	47 366	51 279
Female	33 427	36 894	38 129	41 218	44 139
Total	70 875	78 822	82 095	88 584	95 418
Crude birth rate (per 1 000 population)	10.2	11.3	11.8	12.6	13.5

Note: # Provisional figures.

(i) : Death statistics

Age	2006				2007				2008				2009				2010			
	SEX				SEX				SEX				SEX				SEX			
	Male	Female	Unknown	TOTAL	Male	Female	Unknown	TOTAL	Male	Female	Unknown	TOTAL	Male	Female	Unknown	TOTAL	Male	Female	Unknown	TOTAL
0	64	53	1	118	67	57	1	125	80	65	0	145	71	65	0	136	88	60	1	149
01-04	22	14	0	36	12	15	0	27	17	23	0	40	20	18	0	38	27	20	0	47
05-09	20	12	0	32	15	13	0	28	22	15	0	37	10	9	0	19	7	4	0	11
10-14	25	21	0	46	23	14	0	37	19	17	0	36	16	16	0	32	24	16	0	40
15-19	42	26	0	68	46	21	0	67	43	31	0	74	42	37	0	79	53	24	0	77
20-24	88	36	0	124	83	56	0	139	75	56	0	131	101	47	0	148	68	52	0	120
25-29	149	66	0	215	121	65	0	186	131	79	0	210	127	73	0	200	119	61	0	180
30-34	160	117	0	277	194	105	0	299	190	94	0	284	185	102	0	287	146	97	0	243
35-39	238	174	0	412	247	150	0	397	236	162	0	398	226	168	0	394	203	147	0	350
40-44	431	283	0	714	381	237	0	618	356	260	0	616	321	241	0	562	322	276	0	598
45-49	653	390	0	1 043	715	382	0	1 097	710	396	0	1 106	695	424	0	1 119	648	404	0	1 052
50-54	965	538	0	1 503	1 025	532	0	1 557	1 032	594	0	1 626	1 071	614	0	1 685	1 051	592	0	1 643
55-59	1 210	560	0	1 770	1 294	560	0	1 854	1 385	617	0	2 002	1 365	648	0	2 013	1 401	655	0	2 056
60-64	1 261	510	0	1 771	1 390	573	0	1 963	1 409	606	0	2 015	1 507	627	0	2 134	1 677	711	0	2 388
65-69	1 928	810	0	2 738	1 950	713	0	2 663	1 932	714	0	2 646	1 782	735	0	2 517	1 766	757	0	2 523
70-74	3 004	1 521	0	4 525	2 992	1 557	0	4 549	2 971	1 470	0	4 441	2 965	1 443	0	4 408	2 903	1 281	0	4 184
75-79	3 620	2 289	0	5 909	3 889	2 341	0	6 230	4 029	2 481	0	6 510	4 021	2 368	0	6 389	3 890	2 250	0	6 140
80-84	3 400	2 930	0	6 330	3 608	3 172	0	6 780	3 849	3 298	0	7 147	3 852	3 160	0	7 012	3 974	3 292	0	7 266
85+	3 673	6 112	0	9 785	4 304	6 508	0	10 812	4 670	7 620	0	12 290	4 543	7 430	0	11 973	5 100	8 000	0	13 100
Unknown	25	8	8	41	35	10	3	48	27	9	6	42	19	3	8	30	17	6	4	27
TOTAL	20 978	16 470	9	37 457	22 391	17 081	4	39 476	23 183	18 607	6	41 796	22 939	18 228	8	41 175	23 484	18 705	5	42 194

(j) : Life expectancy

	2007	2008	2009	2010	2011 [#]
Expectation of life at birth					
Male	79.4	79.4	79.8	80.1	80.5
Female	85.4	85.5	85.9	86.0	86.7

Note: # Provisional figures.

(k) : Fertility rate

	2007	2008	2009	2010	2011 [#]
Total Fertility rate (Number of live births per 1 000 women)	1 028	1 064	1 055	1 127	1 189

Note: # Provisional figures.

(l) : Average household size

Period	Number of domestic households ('000)	Average domestic household size
2007	2 249.9	3.0
2008	2 279.1	3.0
2009	2 297.2	2.9
2010	2 325.1	2.9
2011	2 359.3	2.9

Notes: Statistics are compiled based on data collected in the General Household Survey from January to December of the year concerned as well as the mid-year population estimates by District Council district compiled jointly by the Census and Statistics Department and an inter-departmental Working Group on Population Distribution Projections of the HKSAR. Figures presented in the above table are statistics which involve the use of the population figures in the compilation process. They have been revised to take into account the results of the 2011 Population Census which provided a benchmark for revising the population figures compiled since the 2006 Population By-census.

(m) : Proportion of single-parent households and proportion of domestic households with female household head, 2001

	No. of domestic households	Domestic households with female household head	Domestic households with single parent ⁽¹⁾	Proportion of domestic households with female household head	Proportion of single-parent ⁽¹⁾ households
Total	2 053 412	590 681	60 963	28.8	3.0

Proportion of single-parent households and proportion of domestic households with female household head, 2006

	No. of domestic households	Domestic households with female household head ⁽²⁾	Domestic households with single parent ⁽¹⁾	Proportion of domestic households with female household head ⁽²⁾	Proportion of single-parent ⁽¹⁾ households
Total	2 226 546	975 971	76 290	43.8	3.4

Proportion of single-parent households and proportion of domestic households with female household head, 2011

	No. of domestic households	Domestic households with female household head ⁽³⁾	Domestic households with single parent ⁽¹⁾	Proportion of domestic households with female household head ⁽³⁾	Proportion of single-parent ⁽¹⁾ households
Total	2 368 796	1 078 228	81 589	45.5	3.4

Notes:

- ⁽¹⁾ Single parents are defined as mothers or fathers who are never married, widowed, divorced or separated, and living with child(ren) aged under 18 in the same household in the 2011 Population Census. Figures for 2001 and 2006 have been re-compiled based on the above definition of single parents.
- ⁽²⁾ The figures of the 2006 Population By-census include 975 971 domestic households with female household head. Among them, there were 332 402 domestic households reported to have more than one household head and at least one female head.
- ⁽³⁾ The figures of the 2011 Population Census include 1 078 228 domestic households with female household head. Among them, there were 300 329 domestic households reported to have more than one household head and at least one female head.

B. Social, economic and cultural indicators

(a) : Share of average monthly household expenditure on food, housing, health and education

	1999-2000	2004-05	2009-10
Food (excluding meals bought away from home)	9.8%	9.5%	10.0%
Meals bought away from home	15.9%	16.3%	17.1%
Housing	32.2%	30.6%	32.8%
Health ⁽¹⁾	2.5%	2.5%	2.7%
Education ⁽¹⁾	3.6%	4.1%	4.3%

Note:

⁽¹⁾ Refers to “Health” and “Education” under the Classification of Individual Consumption According to Purpose (COICOP). “Health” covers expenditure on outpatient and hospital services, proprietary medicines and supplies, and medical and health equipment. “Education” covers school fees (but excluding those for interest and sports courses) and expenditure on other educational services.

(b) : Gini Coefficient (Based on original household income), 2001 and 2006

Year	Gini Coefficient
2001	0.525
2006	0.533

(c) : Percentage of Children under 5 years who were Underweight by Sex⁽¹⁾

	6 months - <9 months ⁽²⁾	12 months - < 18 months ⁽²⁾	18 months- <24 months ⁽³⁾	48 months – <60 months ⁽⁴⁾
Number of male children in the sample with weight recorded within the age interval	560	366	1042	1922
Number & percentage of male children being underweight	10 (1.8%)	7 (1.9%)	13 (1.2%)	17 (0.9%)
No of female children in the sample with weight recorded within the age interval	541	326	953	1769
Number and percentage of female children being underweight	6 (1.1%)	5 (1.5%)	7 (0.7%)	25 (1.4%)

Note:

⁽¹⁾ Underweight was defined as body weight less than the 2 standard deviations below the median weight for age on the WHO 2006 child growth standard. Data was based on the clinical information of children born in ⁽²⁾2010 (body weight in 6 to 18 months), ⁽³⁾2008 (18 to 24 months) and ⁽⁴⁾2006 (48 to 60 months).

(d) : Number of registered infant deaths and infant mortality rate by sex, 2007-2011

Year	Number of registered infant deaths			Infant mortality rate (Number of registered infant deaths per 1 000 registered live births)		
	Male	Female	Total*	Male	Female	Total*
2007	66	54	121	1.8	1.6	1.7
2008	70	70	140	1.7	1.9	1.8
2009	78	59	137	1.8	1.5	1.7
2010	87	59	147	1.8	1.4	1.7
2011†	80	44	126	1.6	1.0	1.3

Note: * Total include unknown sex.

† Provisional figures.

Number of registered maternal deaths and maternal mortality ratio, 2007-2011

Year	Number of registered maternal deaths	Maternal mortality ratio (number of registered maternal deaths per 100 000 registered live births)
2007	1	1.4
2008	2	2.5
2009	2	2.4
2010	1	1.1
2011*	1	1.0

Note: * Provisional figures.

(e) : Ratio of Legal Termination of Pregnancy to Known Live Births, 2007-2011

	Year				
	2007	2008	2009	2010	2011#
No. of Legal Termination of Pregnancy	13 515^	13 199^	12 028	11 231	11 849
No. of Known Live Births	70 875	78 822	82 095	88 584	95 418
Ratio	19.1%	16.7%	14.7%	12.7%	12.4%

Notes: # Provisional figures

^ Revised figures

(f) : Number of reported cases of HIV/AIDS by age group

Year	2007		2008		2009		2010		2011	
	HIV	AIDS	HIV	AIDS	HIV	AIDS	HIV	AIDS	HIV	AIDS
Age group										
0-14	1	0	0	0	3	1	3	1	0	0
15-44	326 [^]	49 [^]	322 [^]	56 [^]	295	44	302	44	302	50
45-64	69 [^]	26	91 [^]	30 [^]	74	23	69	24	120	24
65 and above	14	4	20	10	23	8	15	10	15	8
Unknown	4 [^]	0 [^]	2 [^]	0 [^]	1	0	0	0	1	0
Total	414	79	435	96	396	76	389	79	438	82

[^] Revised figures

Number of reported cases of HIV/AIDS by sex

Year	2007		2008		2009		2010		2011	
	HIV	AIDS	HIV	AIDS	HIV	AIDS	HIV	AIDS	HIV	AIDS
Sex										
Male	342	68	349	81	309	64	281	65	344	62
Female	72	11	86	15	87	12	108	14	94	20
Total	414	79	435	96	396	76	389	79	438	82

(g) : Notifications of Notifiable Infectious Diseases 2007 – 2011

Disease	Number of Notifications					Notification Rate † (Number of Notifications per 100 000 Population)				
	2007	2008	2009	2010	2011*	2007	2008	2009	2010	2011*
Amoebic dysentery	4	4	6	2	7	0.06	0.06	0.09	0.03	0.10
Bacillary dysentery	67	150	86	78	54	0.97	2.16	1.23	1.11	0.76
Chickenpox	17 940	8 927	6 777	11 601	13 632	259.39	128.30	97.19	165.16	192.77
Chikungunya fever	-	-	1	2	0	-	-	0.01	0.03	0.00
Cholera	3	7	0	9	2	0.04	0.10	0.00	0.13	0.03
Community-associated methicillin-resistant <i>Staphylococcus aureus</i> infection	173	282	368	495	624	2.50	4.05	5.28	7.05	8.82
Creutzfeldt-Jakob disease	-	1	6	6	5	-	0.01	0.09	0.09	0.07
Dengue fever	58	42	43	83	30	0.84	0.60	0.62	1.18	0.42
Enterovirus 71 infection	-	-	31	101	68	-	-	0.44	1.44	0.96
Food poisoning:										
Outbreaks	621	619	407	316	341	8.98	8.90	5.84	4.50	4.82
<i>Persons affected</i>	(1 992)	(2 547)	(1 540)	(1 056)	(1 294)	(28.80)	(36.61)	(22.09)	(15.03)	(18.30)
<i>Haemophilus influenzae</i> type b infection (invasive)	-	0	1	1	1	-	0.00	0.01	0.01	0.01
Hantavirus infection	-	1	1	1	1	-	0.01	0.01	0.01	0.01
Influenza A:										
<i>Influenza A(H2)</i>	-	0	0	0	0	-	0.00	0.00	0.00	0.00
<i>Influenza A(H5)</i>	0	0	0	1	0	0.00	0.00	0.00	0.01	0.00
<i>Influenza A(H7)</i>	0	0	0	0	0	0.00	0.00	0.00	0.00	0.00
<i>Influenza A(H9)‡</i>	1	1	2	0	0	0.01	0.01	0.03	0.00	0.00
<i>Swine Influenza§</i>	-	-	34 174	2 722	-	-	-	490.10	38.75	-
Japanese encephalitis	2	0	0	0	1	0.03	0.00	0.00	0.00	0.01
Legionnaires' disease	11	13	37	20	17	0.16	0.19	0.53	0.28	0.24
Leprosy	2	5	4	2	6	0.03	0.07	0.06	0.03	0.08
Leptospirosis	-	4	9	7	3	-	0.06	0.13	0.10	0.04
Listeriosis	-	11	14	6	13	-	0.16	0.20	0.09	0.18
Malaria	33	25	23	34	41	0.48	0.36	0.33	0.48	0.58
Measles	88	68	26	13	12	1.27	0.98	0.37	0.19	0.17
Meningococcal infection (invasive)	2	0	2	2	8	0.03	0.00	0.03	0.03	0.11
Mumps	180	136	155	166	154	2.60	1.95	2.22	2.36	2.18
Paratyphoid fever	28	21	27	26	21	0.40	0.30	0.39	0.37	0.30
Psittacosis	-	0	1	1	2	-	0.00	0.01	0.01	0.03
Q fever	-	1	4	1	4	-	0.01	0.06	0.01	0.06
Rubella and congenital rubella syndrome	38	39	42	38	86	0.55	0.56	0.60	0.54	1.22
Scarlet fever	224	235	187	128	1 527	3.24	3.38	2.68	1.82	21.59
Shiga toxin-producing <i>Escherichia coli</i> infection¶	-	1	2	6	3	-	0.01	0.03	0.09	0.04
Streptococcus suis infection	6	6	6	10	8	0.09	0.09	0.09	0.14	0.11
Tetanus	1	0	1	0	1	0.01	0.00	0.01	0.00	0.01
Tuberculosis	5 463	5 635	5 193	5 093	4 926	78.99	80.99	74.48	72.51	69.66
Typhoid fever	46	38	89	29	34	0.67	0.55	1.28	0.41	0.48
Typhus and other rickettsial diseases**	18	35	40	44	39	0.26	0.50	0.57	0.63	0.55
Viral hepatitis††	208	247	220	267	240	3.01	3.55	3.16	3.80	3.39
Whooping cough	31	25	15	5	23	0.45	0.36	0.22	0.07	0.33
Total‡‡	25 248	16 579	48 000	21 316	21 934	365.05	238.28	688.39	303.47	310.17

Notes: Number of notified cases refers to notifications of infectious disease cases known to the Department of Health as of 10 April 2012.

No case of acute poliomyelitis, anthrax, botulism, diphtheria, plague, rabies, relapsing fever, Severe Acute Respiratory Syndrome, smallpox, viral haemorrhagic fever, West Nile virus infection or yellow fever was reported during the specified years.

Infectious diseases which have been made notifiable during the period include:

<u>Infectious disease</u>	<u>Effective date</u>
Community-associated methicillin-resistant <i>Staphylococcus aureus</i> infection	5 January 2007
Anthrax, botulism, congenital rubella syndrome, Creutzfeldt-Jakob disease, <i>Escherichia coli</i> O157:H7 infection, <i>Haemophilus influenzae</i> type b infection (invasive), hantavirus infection, influenza A(H2), leptospirosis, listeriosis, psittacosis, Q fever, smallpox, viral haemorrhagic fever and West Nile virus infection	14 July 2008
Chikungunya fever and Enterovirus 71 infection	6 March 2009
Swine Influenza§	27 April 2009

* Provisional figures.

† The Population Census conducted in June to August 2011 provides a benchmark for revising the population figures compiled since the 2006 Population By-census.

‡ The cases notified from 2007 to 2009 were all H9N2 infection.

§ Swine Influenza has been removed from the list of statutory notifiable infectious diseases since 8 October 2010.

|| There were one additional probable case and three additional probable cases of psittacosis notified in 2009 and 2011 respectively.

¶ The figures of Shiga toxin-producing *Escherichia coli* infection represent *Escherichia coli* O157:H7 infection before 10 June 2011.

** “Typhus” has been revised to “Typhus and other rickettsial diseases” which includes spotted fever since 14 July 2008.

†† Unclassified viral hepatitis cases are not included in the figures since 2008.

‡‡ Number of persons affected in food poisoning cases are excluded.

- Not applicable.

(h) : Persons with chronic diseases by selected type of chronic diseases, sex and age group

Selected type of chronic diseases	Male								Female								Both sexes							
	Age group				Age group				Age group				Age group				Age group							
	0 - 44		45 - 64		65 +		Total		0 - 44		45 - 64		65 +		Total		0 - 44		45 - 64		65 +		Total	
No. of persons	%*	No. of persons	%*	No. of persons	%*	No. of persons	%*	No. of persons	%*	No. of persons	%*	No. of persons	%*	No. of persons	%*	No. of persons	%*	No. of persons	%*	No. of persons	%*	No. of persons	%*	
Hypertension	9 500	0.5%	89 800	9.4%	155 700	38.5%	255 000	7.8%	11 100	0.5%	106 500	11.0%	191 200	40.5%	308 800	8.5%	20 600	0.5%	196 300	10.2%	346 900	39.6%	563 700	8.2%
Diabetes mellitus	6 200	0.3%	45 600	4.8%	54 200	13.4%	106 000	3.2%	3 000	0.1%	42 300	4.4%	78 900	16.7%	124 100	3.4%	9 200	0.2%	87 900	4.6%	133 000	15.2%	230 100	3.3%
Heart diseases	3 100	0.2%	21 600	2.3%	42 300	10.5%	67 000	2.0%	2 300	0.1%	18 500	1.9%	47 300	10.0%	68 000	1.9%	5 400	0.1%	40 000	2.1%	89 600	10.2%	135 100	2.0%
Cataract	§	§	3 100	0.3%	21 800	5.4%	25 200	0.8%	§	§	3 900	0.4%	38 700	8.2%	42 900	1.2%	§	§	6 900	0.4%	60 500	6.9%	68 100	1.0%
Diseases of the respiratory system	10 200	0.5%	6 200	0.6%	21 200	5.2%	37 600	1.1%	7 800	0.4%	6 300	0.6%	14 000	3.0%	28 000	0.8%	18 000	0.4%	12 500	0.6%	35 200	4.0%	65 600	0.9%
Cerebrovascular diseases (Stroke)	§	§	6 200	0.6%	21 100	5.2%	27 900	0.9%	§	§	4 300	0.4%	19 800	4.2%	25 200	0.7%	1 700	0.0%	10 500	0.5%	41 000	4.7%	53 200	0.8%
Rheumatoid arthritis	§	§	6 400	0.7%	8 700	2.1%	15 400	0.5%	1 900	0.1%	13 400	1.4%	20 500	4.4%	35 800	1.0%	2 200	0.1%	19 900	1.0%	29 200	3.3%	51 300	0.7%
Cancer	2 600	0.1%	6 200	0.6%	9 100	2.2%	17 800	0.5%	6 000	0.3%	16 400	1.7%	10 100	2.2%	32 600	0.9%	8 600	0.2%	22 600	1.2%	19 200	2.2%	50 400	0.7%
Thyroid diseases	2 900	0.2%	4 500	0.5%	§	§	8 800	0.3%	10 200	0.5%	13 400	1.4%	5 700	1.2%	29 200	0.8%	13 000	0.3%	17 900	0.9%	7 100	0.8%	38 000	0.5%
Hypercholesterolemia	2 200	0.1%	7 400	0.8%	4 800	1.2%	14 400	0.4%	§	§	9 400	1.0%	10 200	2.2%	20 500	0.6%	3 100	0.1%	16 800	0.9%	15 000	1.7%	34 900	0.5%
Gastrointestinal diseases	1 700	0.1%	4 800	0.5%	7 700	1.9%	14 200	0.4%	2 000	0.1%	6 500	0.7%	6 400	1.4%	15 000	0.4%	3 700	0.1%	11 300	0.6%	14 100	1.6%	29 100	0.4%
Kidney diseases	2 100	0.1%	5 500	0.6%	4 800	1.2%	12 400	0.4%	1 800	0.1%	4 300	0.4%	5 300	1.1%	11 400	0.3%	3 900	0.1%	9 800	0.5%	10 100	1.2%	23 800	0.3%

Notes: * As a percentage of all persons in the respective sex and age sub-groups.

§ Estimates less than 1 500 (including zero figures) and related statistics derived based on such estimates (e.g. percentages) are not released due to very large sampling errors.

Source: Survey on Persons with Disabilities and Chronic Diseases, 2006-07 (The survey is conducted on an ad hoc basis and was conducted once only during the last five years).

**(i) : Number of registered deaths by ten leading causes of death by age group, 2006-2010
(Ranking is according to the number of registered deaths in 2010)**

Rank	Disease group	Age group	Number of registered deaths				
			2006	2007	2008	2009	2010
1	Malignant neoplasms (ICD10: C00-C97)	0-14	30	31	29	13	16
		15-44	593	513	554	547	480
		45-64	3 252	3 416	3 572	3 669	3 822
		65 and above	8 218	8 356	8 301	8 609	8 758
		Total‡	12 093	12 316	12 456	12 839	13 076
2	Diseases of heart (ICD10: I00-I09, I11, I13, I20-I51)	0-14	13	7	13	12	15
		15-44	134	126	119	137	151
		45-64	621	734	780	844	852
		65 and above	4 850	5 502	5 865	5 421	5 616
		Total‡	5 619	6 372	6 777	6 414	6 636
3	Pneumonia (ICD10: J12-J18)	0-14	13	4	10	5	9
		15-44	43	48	45	37	55
		45-64	201	237	254	231	296
		65 and above	3 944	4 688	5 176	5 039	5 454
		Total‡	4 201	4 978	5 486	5 312	5 814
4	Cerebrovascular diseases (ICD10: I60-I69)	0-14	2	3	2	6	10
		15-44	68	78	63	59	57
		45-64	336	392	407	416	388
		65 and above	2 896	3 039	3 219	2 962	2 967
		Total‡	3 302	3 513	3 691	3 443	3 423
5	Chronic lower respiratory diseases* (ICD10: J40-J47)	0-14	1	0	1	1	0
		15-44	12	13	16	12	8
		45-64	107	107	106	105	127
		65 and above	1 803	1 975	1 980	1 793	1 958
		Total‡	1 924	2 096	2 103	1 912	2 093
6	External causes of morbidity and mortality† (ICD10: V01-Y89)	0-14	18	21	22	28	27
		15-44	731	645	622	615	627
		45-64	525	521	485	555	548
		65 and above	678	656	633	731	659
		Total‡	1 961	1 854	1 766	1 938	1 864
7	Nephritis, nephrotic syndrome and nephrosis (ICD10: N00-N07, N17-N19, N25-N27)	0-14	3	1	1	2	5
		15-44	20	20	18	16	8
		45-64	136	125	155	138	142
		65 and above	1 128	1 201	1 245	1 292	1 338
		Total‡	1 287	1 347	1 419	1 448	1 493
8	Septicaemia (ICD10: A40-A41)	0-14	6	8	6	14	15
		15-44	18	21	16	11	16
		45-64	71	84	70	77	98
		65 and above	581	624	705	634	697
		Total‡	676	737	797	736	826
9	Dementia (ICD10: F01-F03)	0-14	0	0	0	0	0
		15-44	0	0	0	0	0
		45-64	2	5	3	2	6
		65 and above	286	312	492	636	761
		Total‡	288	317	495	638	767
10	Diabetes mellitus (ICD10: E10-E14)	0-14	0	0	0	0	0
		15-44	3	5	10	5	11
		45-64	57	62	66	72	69
		65 and above	451	439	472	415	442
		Total‡	511	506	548	492	522
All other causes		0-14	143	139	161	153	155
		15-44	274	261	232	244	242
		45-64	786	840	802	821	900
		65 and above	4 320	4 657	4 787	4 639	4 862
		Total‡	5 553	5 927	5 992	5 875	6 185
All causes		0-14	229	214	245	234	252
		15-44	1 896	1 730	1 695	1 683	1 655
		45-64	6 094	6 523	6 700	6 930	7 248
		65 and above	29 155	31 449	32 875	32 171	33 512
		Total‡	37 415	39 963	41 530	41 047	42 699

Notes: Classification of diseases and causes of death is based on the International Statistical Classification of Diseases and Related Health Problems (ICD) 10th Revision from 2001 onwards.

* Chronic lower respiratory diseases has been included as a disease group for the purpose of ranking the causes of death since 2001.

† According to the ICD 10th Revision, when the morbid condition is classifiable under Chapter XIX as “injury, poisoning and certain other consequences of external causes”, the codes under Chapter XX for “external causes of morbidity and mortality” should be used as the primary cause of death.

‡ Including unknown age.

(i) (cont'd) : Number of registered deaths by ten leading causes of death by sex, 2006-2010
(Ranking is according to the number of registered deaths in 2010)

Rank	Disease group	Sex	Number of registered deaths				
			2006	2007	2008	2009	2010
1	Malignant neoplasms (ICD10: C00-C97)	Male	7 386	7 600	7 517	7 682	7 831
		Female	4 707	4 716	4 939	5 157	5 245
		Total	12 093	12 316	12 456	12 839	13 076
2	Diseases of heart (ICD10: I00-I09, I11, I13, I20-I51)	Male	2 831	3 255	3 442	3 344	3 479
		Female	2 788	3 117	3 335	3 070	3 157
		Total	5 619	6 372	6 777	6 414	6 636
3	Pneumonia (ICD10: J12-J18)	Male	2 264	2 723	2 925	2 876	3 078
		Female	1 937	2 255	2 561	2 436	2 736
		Total	4 201	4 978	5 486	5 312	5 814
4	Cerebrovascular diseases (ICD10: I60-I69)	Male	1 603	1 779	1 843	1 764	1 695
		Female	1 699	1 734	1 848	1 679	1 728
		Total	3 302	3 513	3 691	3 443	3 423
5	Chronic lower respiratory diseases* (ICD10: J40-J47)	Male	1 382	1 521	1 504	1 372	1 530
		Female	542	575	599	540	563
		Total	1 924	2 096	2 103	1 912	2 093
6	External causes of morbidity and mortality† (ICD10: V01-Y89)	Male	1 264	1 223	1 140	1 189	1 207
		Female	697	631	626	749	657
		Total	1 961	1 854	1 766	1 938	1 864
7	Nephritis, nephrotic syndrome and nephrosis (ICD10: N00-N07, N17-N19, N25-N27)	Male	634	656	692	717	763
		Female	653	691	727	731	730
		Total	1 287	1 347	1 419	1 448	1 493
8	Septicaemia (ICD10: A40-A41)	Male	322	381	404	367	411
		Female	354	356	393	369	415
		Total	676	737	797	736	826
9	Dementia (ICD10: F01-F03)	Male	110	126	177	257	302
		Female	178	191	318	381	465
		Total	288	317	495	638	767
10	Diabetes mellitus (ICD10: E10-E14)	Male	232	221	227	214	226
		Female	279	285	321	278	296
		Total	511	506	548	492	522
All other causes		Male	2 973	3 137	3 129	3 077	3 299
		Female	2 569	2 784	2 862	2 793	2 876
		Total‡	5 553	5 927	5 992	5 875	6 185
All causes		Male	21 001	22 622	23 000	22 859	23 821
		Female	16 403	17 335	18 529	18 183	18 868
		Total‡	37 415	39 963	41 530	41 047	42 699

Notes: Classification of diseases and causes of death is based on the International Statistical Classification of Diseases and Related Health Problems (ICD) 10th Revision from 2001 onwards.

* Chronic lower respiratory diseases has been included as a disease group for the purpose of ranking the causes of death since 2001.

† According to the ICD 10th Revision, when the morbid condition is classifiable under Chapter XIX as “injury, poisoning and certain other consequences of external causes”, the codes under Chapter XX for “external causes of morbidity and mortality” should be used as the primary cause of death.

‡ Including unknown sex.

(j) : Net Enrolment Ratios by Grade and Sex, 2007/08 – 2011/12 School Years

Grade	Sex	Net Enrolment Ratios (%)				
		2007/08*	2008/09*	2009/10*	2010/11*	2011/12 [#]
P1-P6	Male	93.0	93.8	95.3	95.1	97.6
	Female	91.5	92.6	94.2	94.1	96.5
	Both Sexes	92.3	93.3	94.8	94.6	97.1
S1-S3 ⁽¹⁾	Male	86.0	85.4	85.2	84.7	86.1
	Female	84.3	84.3	83.8	82.7	83.7
	Both Sexes	85.2	84.9	84.5	83.8	84.9
S4-S5 ^{(1) & (2)}	Male	69.6	73.1	73.9	72.4	-
	Female	72.2	74.4	75.0	74.7	-
	Both Sexes	70.9	73.7	74.5	73.5	-
S6-S7	Male	24.0	24.7	26.1	28.1	-
	Female	30.5	31.4	33.2	34.1	-
	Both Sexes	27.1	27.9	29.5	31.0	-
S4-S6 ^{(1), (2) & (3)}	Male	-	-	-	-	77.8
	Female	-	-	-	-	80.1
	Both Sexes	-	-	-	-	78.9
S1-S7 ^{(1) & (2)}	Male	79.5	80.3	81.6	80.8	-
	Female	80.1	80.9	81.3	79.9	-
	Both Sexes	79.8	80.5	81.5	80.4	-
S1-S6 ^{(1), (2) & (3)}	Male	-	-	-	-	90.1
	Female	-	-	-	-	89.5
	Both Sexes	-	-	-	-	89.8

Notes:

Figures refer to the position as at mid-September of the respective school years. They include students attending in both day and evening schools, special schools and special classes of ordinary schools.

- (1) Figures from 2008/09 school year onwards include correctional / residential home under the Social Welfare Department and correctional institutions under the Correctional Services Department.
- (2) Figures include students enrolled in craft level courses and programmes of the Project Yi Jin.
- (3) In 2011/12 school year, the New Senior Secondary academic structure has been implemented fully.

* The Population Census conducted from June to August 2011 provided a benchmark for revising the population estimates compiled since the 2006 Population By-census. The school-age population from 2007/08 to 2010/11 school years have been revised accordingly.

Provisional figures.

(k) : School Attendance Rates by Age Group and Sex, 2001, 2006 and 2011

Age Group	School Attendance Rate (%)								
	2001			2006			2011		
	Male	Female	Both Sexes	Male	Female	Both Sexes	Male	Female	Both Sexes
3 – 5	94.6	94.7	94.7	89.9	88.3	89.1	91.0	91.6	91.3
6 – 11	99.9	99.9	99.9	99.9	99.9	99.9	100.0	100.0	100.0
12 – 16	96.9	98.0	97.5	98.7	99.1	98.9	98.2	99.0	98.6
17 - 18	68.0	74.1	71.0	81.1	84.6	82.8	84.5	87.7	86.0
19 – 24	26.8	26.1	26.4	38.4	36.3	37.3	43.8	43.8	43.8
	(26.8)	(29.4)	(28.0)	(38.4)	(40.3)	(39.3)	(43.8)	(46.4)	(45.1)
25+	0.4	0.3	0.3	0.5	0.4	0.4	0.5	0.5	0.5

Note: Figures in brackets are school attendance rates compiled with foreign domestic helpers excluded from the population in the respective age-sex group.

(l) : Pupil-Teacher Ratios in Public Sector Primary and Secondary Schools, 2007 - 2011

	2007	2008	2009	2010	2011 [#]
Primary school	17.2	16.4	15.7	15.3	14.9
Secondary school	16.9	16.6	16.2	15.5	15.3

Notes : Figures refer to the position as at mid-September of the respective school years.

Figures include Government, aided and caput schools, but exclude special schools.

[#] Provisional figures.

(m) : Unemployment and Unemployment Rates by Sex and by Age Group

Sex/Age group	2007		2008		2009		2010		2011	
	Number (‘000)	Rate (%)	Number (‘000)	Rate (%)	Number (‘000)	Rate (%)	Number (‘000)	Rate (%)	Number (‘000)	Rate (%)
Male										
15 - 19	6.9	20.7	5.3	18.1	6.5	23.8	5.1	22.9	3.8	17.9
20 - 24	13.0	8.7	12.4	8.7	18.8	13.5	16.6	12.6	13.3	9.9
25 - 29	9.0	4.2	8.3	3.8	14.3	6.6	11.8	5.5	9.9	4.6
30 - 34	8.5	3.7	6.2	2.8	9.4	4.4	7.8	3.7	6.6	3.1
35 - 39	7.1	3.0	6.2	2.7	10.2	4.5	8.2	3.6	7.1	3.1
40 - 44	10.1	3.6	8.8	3.3	11.8	4.7	10.0	4.2	7.0	3.0
45 - 49	11.6	3.8	10.0	3.3	15.9	5.4	11.1	3.9	8.1	2.9
50 - 54	11.6	4.7	11.1	4.3	16.1	6.0	13.4	4.9	11.0	3.9
55 - 59	8.5	5.1	7.7	4.4	11.3	6.2	9.3	5.0	7.7	3.9
60 - 64	2.4	3.6	2.1	2.9	3.3	4.0	3.5	3.9	2.4	2.4
≥ 65	0.4	1.3	0.3	1.0	0.6	1.5	0.7	1.7	0.5	1.2
Overall	89.0	4.6	78.3	4.0	118.3	6.1	97.6	5.1	77.5	4.0
Female										
15 - 19	5.4	18.7	3.6	13.7	4.6	19.5	3.5	18.2	2.6	13.6
20 - 24	9.2	5.3	9.3	5.6	13.5	8.7	13.2	9.3	9.9	6.9
25 - 29	5.5	2.2	6.0	2.3	8.9	3.4	7.7	2.9	6.8	2.6
30 - 34	6.6	2.7	4.8	1.9	8.2	3.3	6.3	2.5	5.3	2.0
35 - 39	5.2	2.1	5.7	2.3	8.7	3.5	6.2	2.6	4.9	2.0
40 - 44	6.9	2.8	5.9	2.5	9.4	4.0	6.6	2.9	6.4	2.7
45 - 49	7.7	3.5	7.3	3.3	9.7	4.2	6.9	2.9	5.6	2.3
50 - 54	5.9	3.9	4.6	2.9	6.4	3.7	5.6	3.1	4.6	2.4
55 - 59	3.5	4.2	2.2	2.4	4.0	4.2	3.0	3.1	2.1	1.9
60 - 64	0.4	1.9	0.3	1.1	0.8	2.6	0.6	1.7	1.0	2.3
≥ 65	##	##	##	##	##	##	##	##	##	##
Overall	56.3	3.4	49.7	2.9	74.4	4.3	59.5	3.5	49.2	2.8
Both sexes										
15 - 19	12.3	19.8	8.9	16.0	11.1	21.8	8.6	20.8	6.4	15.8
20 - 24	22.2	6.9	21.7	7.1	32.3	11.0	29.8	10.9	23.2	8.4
25 - 29	14.4	3.1	14.2	3.0	23.1	4.8	19.5	4.1	16.8	3.5
30 - 34	15.1	3.2	11.0	2.3	17.6	3.8	14.1	3.1	11.9	2.5
35 - 39	12.4	2.6	11.9	2.5	18.9	4.0	14.4	3.1	12.0	2.6
40 - 44	17.1	3.2	14.7	2.9	21.2	4.3	16.7	3.5	13.4	2.9
45 - 49	19.2	3.7	17.3	3.3	25.7	4.8	18.0	3.4	13.7	2.6
50 - 54	17.5	4.4	15.7	3.7	22.6	5.1	19.0	4.2	15.6	3.3
55 - 59	12.0	4.8	9.9	3.7	15.2	5.5	12.3	4.4	9.8	3.2
60 - 64	2.8	3.2	2.4	2.4	4.1	3.6	4.1	3.3	3.4	2.4
≥ 65	0.5	1.1	0.3	0.8	0.7	1.5	0.7	1.4	0.6	1.1
Overall	145.3	4.0	128.0	3.5	192.6	5.3	157.2	4.3	126.7	3.4

Notes : Statistics are compiled based on data collected in the General Household Survey from January to December of the year concerned as well as the mid-year population estimates by District Council district compiled jointly by the Census and Statistics Department and an inter-departmental Working Group on Population Distribution Projections of the HKSAR.

Figures presented in the above table are statistics which involve the use of the population figures in the compilation process. They have been revised to take into account the results of the 2011 Population Census which provided a benchmark for revising the population figures compiled since the 2006 Population By-census.

Statistics are not released due to large sampling error.

(n) : Employed persons by industry of main employment, age and sex

Industry /Age group		2007					
		Male		Female		Both Sexes	
		Number	Percentage	Number	Percentage	Number	Percentage
		('000)	(%)	('000)	(%)	('000)	(%)
Manufacturing	15 - 24	7.5	0.4	3.8	0.2	11.2	0.3
	25 - 39	40.0	2.1	23.3	1.4	63.3	1.8
	≥ 40	80.8	4.3	44.7	2.8	125.5	3.6
	Sub-total	128.3	6.9	71.7	4.4	200.0	5.8
Construction	15 - 24	11.9	0.6	1.7	0.1	13.6	0.4
	25 - 39	81.9	4.4	9.0	0.6	90.9	2.6
	≥ 40	160.4	8.6	9.9	0.6	170.3	4.9
	Sub-total	254.2	13.6	20.5	1.3	274.8	7.9
Wholesale, retail, import/export trades, restaurants & hotels	15 - 24	66.2	3.6	73.2	4.5	139.4	4.0
	25 - 39	201.2	10.8	248.3	15.4	449.5	12.9
	≥ 40	293.1	15.7	260.1	16.1	553.2	15.9
	Sub-total	560.5	30.1	581.5	36.1	1 142.0	32.8
Transport, storage & communications	15 - 24	20.3	1.1	10.4	0.6	30.8	0.9
	25 - 39	92.8	5.0	43.9	2.7	136.6	3.9
	≥ 40	173.1	9.3	31.4	1.9	204.5	5.9
	Sub-total	286.2	15.3	85.7	5.3	371.9	10.7
Financing, insurance, real estate & business services	15 - 24	24.2	1.3	26.1	1.6	50.3	1.4
	25 - 39	129.0	6.9	112.2	7.0	241.2	6.9
	≥ 40	165.0	8.8	89.9	5.6	254.9	7.3
	Sub-total	318.1	17.1	228.3	14.2	546.4	15.7
Community, social & personal services	15 - 24	31.7	1.7	73.6	4.6	105.2	3.0
	25 - 39	103.7	5.6	286.5	17.8	390.1	11.2
	≥ 40	165.3	8.9	259.5	16.1	424.8	12.2
	Sub-total	300.6	16.1	619.6	38.4	920.2	26.5
Others	15 - 24	0.4	0.0	##	##	0.6	0.0
	25 - 39	3.0	0.2	0.9	0.1	3.9	0.1
	≥ 40	13.3	0.7	4.0	0.2	17.2	0.5
	Sub-total	16.7	0.9	5.0	0.3	21.7	0.6
Total	15 - 24	162.2	8.7	188.8	11.7	351.0	10.1
	25 - 39	651.5	34.9	724.1	44.9	1 375.6	39.6
	≥ 40	1 050.9	56.4	699.4	43.4	1 750.4	50.3
	Sub-total	1 864.6	100.0	1 612.4	100.0	3 476.9	100.0

(n) (cont'd) : Employed persons by industry of main employment, age and sex

Industry /Age group		2008						2009					
		Male		Female		Both Sexes		Male		Female		Both Sexes	
		Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage
		('000)	(%)	('000)	(%)	('000)	(%)	('000)	(%)	('000)	(%)	('000)	(%)
Manufacturing	15 - 24	5.9	0.3	1.8	0.1	7.7	0.2	3.8	0.2	1.6	0.1	5.4	0.2
	25 - 39	29.6	1.6	16.7	1.0	46.3	1.3	27.3	1.5	15.1	0.9	42.5	1.2
	≥ 40	76.3	4.1	35.4	2.2	111.7	3.2	68.7	3.8	33.4	2.0	102.1	2.9
	Sub-total	111.8	6.0	53.9	3.3	165.7	4.7	99.8	5.5	50.1	3.1	150.0	4.3
Construction	15 - 24	11.4	0.6	2.2	0.1	13.6	0.4	10.0	0.5	1.2	0.1	11.2	0.3
	25 - 39	77.4	4.1	8.4	0.5	85.7	2.4	77.8	4.3	8.4	0.5	86.2	2.5
	≥ 40	156.2	8.4	9.8	0.6	166.0	4.7	153.5	8.4	11.5	0.7	165.0	4.8
	Sub-total	245.0	13.1	20.4	1.2	265.3	7.6	241.3	13.2	21.1	1.3	262.4	7.6
Import/export trade & wholesale	15 - 24	17.1	0.9	26.9	1.6	44.0	1.3	14.7	0.8	20.0	1.2	34.7	1.0
	25 - 39	109.9	5.9	141.3	8.6	251.2	7.2	100.5	5.5	129.4	7.9	229.9	6.6
	≥ 40	172.2	9.2	121.5	7.4	293.7	8.4	170.8	9.4	126.7	7.7	297.6	8.6
	Sub-total	299.3	16.0	289.6	17.6	588.9	16.8	286.0	15.7	276.2	16.8	562.2	16.2
Retail, accommodation ⁽¹⁾ & food services	15 - 24	43.2	2.3	43.8	2.7	87.0	2.5	42.1	2.3	38.8	2.4	80.9	2.3
	25 - 39	88.8	4.8	107.3	6.5	196.1	5.6	85.6	4.7	106.4	6.5	192.0	5.5
	≥ 40	123.1	6.6	145.6	8.9	268.8	7.7	121.2	6.6	150.6	9.2	271.8	7.8
	Sub-total	255.1	13.7	296.7	18.1	551.8	15.7	248.9	13.6	295.8	18.0	544.7	15.7
Transportation, storage, postal and courier services, information & communications	15 - 24	22.4	1.2	11.0	0.7	33.3	1.0	18.0	1.0	11.0	0.7	29.0	0.8
	25 - 39	122.2	6.6	53.6	3.3	175.8	5.0	114.0	6.2	48.5	3.0	162.5	4.7
	≥ 40	188.8	10.1	35.8	2.2	224.6	6.4	194.3	10.6	37.6	2.3	231.9	6.7
	Sub-total	333.4	17.9	100.4	6.1	433.8	12.4	326.3	17.9	97.2	5.9	423.4	12.2
Financing, insurance, real estate & business services	15 - 24	25.3	1.4	27.8	1.7	53.1	1.5	22.6	1.2	25.0	1.5	47.6	1.4
	25 - 39	124.2	6.7	124.7	7.6	248.9	7.1	124.0	6.8	122.9	7.5	246.8	7.1
	≥ 40	189.1	10.1	147.7	9.0	336.8	9.6	187.8	10.3	154.5	9.4	342.2	9.9
	Sub-total	338.6	18.1	300.2	18.3	638.8	18.2	334.3	18.3	302.3	18.4	636.6	18.4
Public administration, social & personal services	15 - 24	28.0	1.5	65.2	4.0	93.2	2.7	29.9	1.6	62.8	3.8	92.7	2.7
	25 - 39	90.6	4.9	285.2	17.4	375.8	10.7	94.6	5.2	300.1	18.3	394.7	11.4
	≥ 40	146.9	7.9	227.5	13.8	374.4	10.7	147.6	8.1	231.9	14.1	379.5	10.9
	Sub-total	265.4	14.2	577.9	35.2	843.3	24.0	272.0	14.9	594.9	36.2	867.0	25.0
Other industries	15 - 24	0.4	0.0	0.3	0.0	0.7	0.0	0.6	0.0	##	##	0.8	0.0
	25 - 39	3.9	0.2	1.1	0.1	5.0	0.1	4.0	0.2	1.1	0.1	5.1	0.1
	≥ 40	12.7	0.7	3.1	0.2	15.8	0.5	12.9	0.7	2.6	0.2	15.5	0.4
	Sub-total	17.1	0.9	4.4	0.3	21.5	0.6	17.5	1.0	3.9	0.2	21.4	0.6
Total	15 - 24	153.6	8.2	178.9	10.9	332.5	9.5	141.7	7.8	160.6	9.8	302.3	8.7
	25 - 39	646.6	34.7	738.2	44.9	1 384.8	39.5	627.8	34.4	732.0	44.6	1 359.7	39.2
	≥ 40	1 065.4	57.1	726.4	44.2	1 791.8	51.1	1 056.8	57.9	748.8	45.6	1 805.6	52.1
	Sub-total	1 865.6	100.0	1 643.5	100.0	3 509.1	100.0	1 826.2	100.0	1 641.4	100.0	3 467.6	100.0

(n) (cont'd) : Employed persons by industry of main employment, age and sex

Industry /Age group		2010						2011					
		Male		Female		Both Sexes		Male		Female		Both Sexes	
		Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage
		('000)	(%)	('000)	(%)	('000)	(%)	('000)	(%)	('000)	(%)	('000)	(%)
Manufacturing	15 - 24	3.5	0.2	1.0	0.1	4.5	0.1	3.2	0.2	1.3	0.1	4.5	0.1
	25 - 39	23.6	1.3	12.0	0.7	35.5	1.0	22.1	1.2	12.1	0.7	34.2	1.0
	≥ 40	63.2	3.4	29.5	1.8	92.7	2.7	64.5	3.5	29.7	1.7	94.2	2.6
	Sub-total	90.3	4.9	42.5	2.6	132.8	3.8	89.9	4.8	43.0	2.5	132.9	3.7
Construction	15 - 24	11.2	0.6	1.5	0.1	12.7	0.4	13.1	0.7	2.3	0.1	15.4	0.4
	25 - 39	71.5	3.9	8.4	0.5	79.8	2.3	72.2	3.9	8.9	0.5	81.1	2.3
	≥ 40	159.9	8.7	12.5	0.8	172.4	5.0	168.3	9.0	12.3	0.7	180.6	5.0
	Sub-total	242.5	13.2	22.4	1.4	264.9	7.6	253.5	13.6	23.5	1.4	277.0	7.7
Import/export trade & wholesale	15 - 24	10.3	0.6	18.3	1.1	28.6	0.8	11.7	0.6	15.5	0.9	27.1	0.8
	25 - 39	98.5	5.4	123.9	7.6	222.4	6.4	92.8	5.0	120.9	7.1	213.7	6.0
	≥ 40	170.0	9.3	126.1	7.7	296.1	8.5	168.1	9.0	129.9	7.6	298.0	8.3
	Sub-total	278.7	15.2	268.3	16.4	547.0	15.7	272.6	14.6	266.3	15.6	538.8	15.1
Retail, accommodation ⁽¹⁾ & food services	15 - 24	41.3	2.3	39.4	2.4	80.7	2.3	41.7	2.2	41.9	2.4	83.5	2.3
	25 - 39	87.1	4.7	109.0	6.6	196.1	5.6	93.4	5.0	111.1	6.5	204.5	5.7
	≥ 40	128.7	7.0	152.4	9.3	281.1	8.1	126.9	6.8	163.0	9.5	289.9	8.1
	Sub-total	257.1	14.0	300.8	18.3	557.9	16.1	262.0	14.0	315.9	18.5	577.9	16.2
Transportation, storage, postal and courier services, information & communications	15 - 24	17.0	0.9	7.9	0.5	24.8	0.7	18.1	1.0	10.1	0.6	28.2	0.8
	25 - 39	118.0	6.4	48.1	2.9	166.1	4.8	114.4	6.1	48.0	2.8	162.4	4.5
	≥ 40	195.0	10.6	36.2	2.2	231.2	6.7	199.4	10.7	44.1	2.6	243.5	6.8
	Sub-total	330.0	18.0	92.1	5.6	422.1	12.2	332.0	17.8	102.2	6.0	434.2	12.1
Financing, insurance, real estate & business services	15 - 24	21.2	1.2	22.5	1.4	43.7	1.3	23.7	1.3	23.0	1.3	46.7	1.3
	25 - 39	127.0	6.9	124.5	7.6	251.5	7.2	132.8	7.1	126.6	7.4	259.3	7.3
	≥ 40	188.9	10.3	157.3	9.6	346.1	10.0	197.4	10.6	172.5	10.1	369.9	10.3
	Sub-total	337.1	18.4	304.3	18.5	641.4	18.5	353.9	19.0	322.1	18.8	676.0	18.9
Public administration, social & personal services	15 - 24	27.9	1.5	53.5	3.3	81.5	2.3	26.5	1.4	54.5	3.2	81.0	2.3
	25 - 39	99.2	5.4	304.5	18.6	403.7	11.6	99.5	5.3	319.5	18.7	419.0	11.7
	≥ 40	151.8	8.3	247.6	15.1	399.4	11.5	156.5	8.4	258.9	15.1	415.4	11.6
	Sub-total	279.0	15.2	605.6	36.9	884.6	25.5	282.5	15.1	632.9	37.0	915.4	25.6
Other industries	15 - 24	0.6	0.0	0.4	0.0	0.9	0.0	0.9	0.0	0.3	0.0	1.2	0.0
	25 - 39	4.7	0.3	1.4	0.1	6.2	0.2	3.9	0.2	1.5	0.1	5.4	0.2
	≥ 40	13.6	0.7	2.7	0.2	16.3	0.5	14.1	0.8	3.4	0.2	17.5	0.5
	Sub-total	18.9	1.0	4.5	0.3	23.4	0.7	18.9	1.0	5.3	0.3	24.1	0.7
Total	15 - 24	132.9	7.3	144.4	8.8	277.4	8.0	138.9	7.4	148.9	8.7	287.7	8.0
	25 - 39	629.6	34.3	731.7	44.6	1 361.3	39.2	630.9	33.8	748.7	43.8	1 379.6	38.6
	≥ 40	1 071.1	58.4	764.3	46.6	1 835.4	52.8	1 095.4	58.7	813.7	47.5	1 909.1	53.4
	Sub-total	1 833.7	100.0	1 640.5	100.0	3 474.1	100.0	1 865.2	100.0	1 711.2	100.0	3 576.4	100.0

Notes : Statistics are compiled based on data collected in the General Household Survey from January to December of the year concerned as well as the mid-year population estimates by District Council district compiled jointly by the Census and Statistics Department and an inter-departmental Working Group on Population Distribution Projections of the HKSAR.

Figures presented in the above table are statistics which involve the use of the population figures in the compilation process. They have been revised to take into account the results of the 2011 Population Census which provided a benchmark for revising the population figures compiled since the 2006 Population By-census.

Statistics for 2007 are compiled based on the Hong Kong Standard Industrial Classification (HSIC) Version 1.1 while statistics for 2008-2011 are compiled based on HSIC Version 2.0.

(1) Accommodation services cover hotels, guesthouses, boarding houses and other establishments providing short term accommodation.

Statistics are not released due to large sampling error.

0.0 Less than 0.05%

(o) : Labour Force and Labour Force Participation Rates by Sex and Age Group

Sex/Age group	2007		2008		2009		2010		2011	
	Number (‘000)	Rate (%)	Number (‘000)	Rate (%)	Number (‘000)	Rate (%)	Number (‘000)	Rate (%)	Number (‘000)	Rate (%)
Male										
15 - 19	33.2	14.7	29.4	13.0	27.5	12.5	22.4	10.2	21.3	9.9
20 - 24	148.8	67.6	142.0	65.5	139.5	64.1	132.3	60.6	134.6	61.1
25 - 29	213.5	94.8	215.6	94.2	216.9	94.7	215.1	94.0	213.9	93.9
30 - 34	228.0	97.1	220.5	96.6	215.7	96.7	213.8	96.5	215.7	96.3
35 - 39	234.6	97.1	231.2	96.6	229.1	96.2	228.6	96.5	225.0	96.7
40 - 44	280.3	96.3	263.9	95.9	250.2	95.9	238.0	95.9	230.8	95.8
45 - 49	301.4	94.7	300.9	94.5	296.2	94.4	288.4	94.3	277.9	94.6
50 - 54	244.3	88.9	258.3	89.8	268.4	90.3	276.1	90.3	281.0	90.4
55 - 59	167.3	75.8	174.0	76.5	180.9	76.9	186.5	77.0	197.1	78.1
60 - 64	67.5	48.3	73.1	47.6	82.9	49.3	90.5	48.6	101.7	50.0
≥ 65	34.8	9.1	35.1	9.0	37.2	9.4	39.8	9.8	43.7	10.5
Overall	1 953.6	70.4	1 944.0	69.7	1 944.5	69.4	1 931.3	68.5	1 942.7	68.4
Female										
15 - 19	29.0	13.5	26.4	12.4	23.6	11.3	19.0	9.2	18.8	9.1
20 - 24	174.5	71.6	165.3	69.3	155.1	66.0	142.1	61.4	142.5	62.1
25 - 29	250.0	87.3	259.3	87.4	262.0	87.0	263.3	86.6	265.9	87.5
30 - 34	247.7	79.3	248.8	80.2	248.1	80.0	248.3	78.8	259.0	80.1
35 - 39	243.7	73.6	246.6	74.0	247.6	74.8	240.4	72.6	240.7	73.5
40 - 44	246.2	68.8	239.3	69.7	238.2	71.4	231.9	70.5	236.1	71.7
45 - 49	216.6	64.3	220.8	63.6	234.7	66.3	236.0	66.1	242.8	68.3
50 - 54	148.9	53.2	161.3	54.8	172.1	56.3	179.0	56.5	189.9	58.7
55 - 59	83.4	38.1	92.6	40.6	94.1	39.5	96.9	39.3	110.4	42.8
60 - 64	20.8	15.9	24.8	16.8	31.4	19.0	34.3	18.4	43.4	21.3
≥ 65	8.0	1.9	7.9	1.8	8.8	2.0	8.9	2.0	10.9	2.3
Overall	1 668.7	53.1	1 693.2	53.1	1 715.8	53.2	1 700.0	51.9	1 760.4	53.0
Both sexes										
15 - 19	62.1	14.1	55.8	12.7	51.1	11.9	41.4	9.7	40.1	9.5
20 - 24	323.3	69.7	307.3	67.5	294.7	65.1	274.4	61.0	277.1	61.6
25 - 29	463.5	90.6	474.8	90.4	478.9	90.3	478.3	89.8	479.9	90.2
30 - 34	475.7	86.9	469.3	87.1	463.8	87.0	462.1	86.1	474.7	86.7
35 - 39	478.2	83.5	477.8	83.4	476.7	83.8	468.9	82.5	465.7	83.1
40 - 44	526.4	81.1	503.2	81.3	488.4	82.2	469.9	81.4	466.8	81.9
45 - 49	518.0	79.1	521.7	78.4	530.9	79.5	524.4	79.1	520.7	80.2
50 - 54	393.2	70.9	419.6	72.1	440.5	73.0	455.1	73.1	470.9	74.2
55 - 59	250.7	57.0	266.6	58.5	275.0	58.1	283.3	58.0	307.5	60.2
60 - 64	88.3	32.6	98.0	32.5	114.3	34.3	124.8	33.5	145.0	35.7
≥ 65	42.8	5.3	43.0	5.2	46.0	5.5	48.7	5.7	54.6	6.2
Overall	3 622.3	61.2	3 637.2	60.9	3 660.3	60.8	3 631.3	59.6	3 703.1	60.1

Notes : Statistics are compiled based on data collected in the General Household Survey from January to December of the year concerned as well as the mid-year population estimates by District Council district compiled jointly by the Census and Statistics Department and an inter-departmental Working Group on Population Distribution Projections of the HKSAR.

Figures presented in the above table are statistics which involve the use of the population figures in the compilation process.

They have been revised to take into account the results of the 2011 Population Census which provided a benchmark for revising the population figures compiled since the 2006 Population By-census.

(p) : Per capita income

	Year				
	2006	2007	2008	2009	2010
Per capita income ⁽¹⁾ (\$)	215,158	233,266	240,339	231,638	246,733

Note:

⁽¹⁾ Figures refer to per capita Gross Domestic Product at current market prices

(q) : Gross Domestic Product (GDP) at current market prices

	Year				
	2006	2007	2008	2009	2010
GDP at current market prices (\$ million)	1,475,357	1,615,574	1,677,011	1,622,322	1,743,858

(r) : Annual growth rate of GDP

	Year				
	2006	2007	2008	2009	2010
Annual growth rate ⁽¹⁾ (%)	7.0	6.4	2.3	-2.7	7.0

Note:

⁽¹⁾ Figures refer to percentage change of GDP in real terms

(s) : Gross National Product (GNP) and Per Capita GNP of Hong Kong

Year	GNP ⁽¹⁾		Per Capita GNP ⁽²⁾	
	At current market prices	In chained (2009) dollars	At current market prices	In chained (2009) dollars
	\$ million	\$ million	\$	\$
1993	932,900	952,559	158,092	161,423
1994	1,049,415	1,006,387	173,877	166,747
1995	1,125,229	1,036,090	182,783	168,303
1996	1,218,405	1,060,639	189,326	164,811
1997	1,363,409	1,123,039	210,101	173,060
1998	1,317,362	1,077,169	201,318	164,612
1999	1,291,436	1,104,926	195,480	167,248
2000	1,326,404	1,177,499	199,010	176,669
2001	1,327,761	1,201,485	197,751	178,944
2002	1,282,966	1,202,679	190,235	178,331
2003	1,263,252	1,261,048	187,682	187,355
2004	1,315,333	1,360,412	193,902	200,547
2005	1,384,238	1,432,570	203,170	210,264
2006	1,502,705	1,559,201	219,146	227,385
2007	1,660,011	1,674,461	240,014	242,104
2008	1,760,317	1,749,015	252,999	251,375
2009	1,665,382	1,665,382	238,840	238,840
2010*	1,769,863	1,765,595	251,966	251,359
2011*	1,953,528	1,878,531	276,250	265,644

Notes: Figures in this table are the latest data released on 11 May 2012.

* Revised figures.

In Hong Kong, the first release of GNP in respect of a period is called "Preliminary figures". When more data become available, the preliminary figures will be revised. All those figures published subsequently, on revision, are called "Revised figures". The figures are finalised when data from all regular sources are incorporated.

⁽¹⁾ Gross National Product (GNP) is a measure of the total income earned by residents of a country or territory from engaging in various economic activities, irrespective of whether the economic activities are carried out within the economic territory or outside. GNP is computed by the following formula:

GNP = Gross Domestic Product (GDP) + Net external factor income flows (Net EFIF)

Factor income is mainly classified into investment income and compensation of employees. Investment income includes direct investment income, portfolio investment income and other investment income.

The chained dollar estimate of GNP for a particular year is obtained by multiplying the chain volume index for that year by the current price value in the reference year.

In compiling the continuous time series of the chain volume indices of GNP, the annually re-weighted chain linking approach is adopted.

⁽²⁾ Per Capita GNP of a country or territory is obtained by dividing GNP in a year by the population of that country or territory in the same year.

(t) : Consumer Price Index (CPI)**Table 1(A) - Composite Consumer Price Index⁽¹⁾ (Oct 2009 – Sep 2010 = 100)**

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
2007	92.8	91.5	93.3	92.8	92.9	93.3	93.7	93.8	93.9	95.4	95.9	96.5	93.8
2008	95.8	97.3	97.2	97.8	98.1	98.9	99.6	98.1	96.7	97.1	98.8	98.5	97.8
2009	98.8	98.1	98.4	98.4	98.2	98.1	98.1	96.4	97.2	99.5	99.6	100.0	98.4
2010	100.0	101.0	100.5	101.0	100.9	101.0	98.7	98.7	99.0	102.0	102.4	102.9	100.7
2011	103.5	104.6	104.9	105.6	106.2	106.7	106.5	104.3	104.7	107.9	108.2	108.8	106.0

Table 1(B) - Consumer Price Index (A)⁽¹⁾ (Oct 2009 - Sep 2010 = 100)

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
2007	94.1	89.4	94.7	93.6	93.7	94.2	94.5	94.3	94.6	96.3	96.7	97.2	94.4
2008	96.8	98.2	98.2	98.7	98.9	99.9	100.6	96.4	94.3	94.7	98.7	98.4	97.8
2009	98.8	98.4	98.8	98.5	98.4	98.3	98.3	94.0	95.0	100.3	100.4	100.8	98.3
2010	101.3	102.3	101.8	102.0	102.0	102.1	95.4	95.4	96.1	103.4	103.6	104.1	100.8
2011	104.9	106.2	106.7	107.1	107.7	108.1	107.4	100.6	101.1	108.7	109.1	109.7	106.4

Table 1(C) - Consumer Price Index (B)⁽¹⁾ (Oct 2009 - Sep 2010 = 100)

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
2007	92.4	92.2	92.8	92.4	92.5	92.8	93.3	93.5	93.5	95.0	95.5	96.1	93.5
2008	95.5	97.1	96.9	97.4	97.8	98.6	99.3	98.6	97.3	97.7	98.7	98.4	97.8
2009	98.7	98.0	98.2	98.3	98.0	97.9	98.0	97.1	97.8	99.2	99.3	99.8	98.4
2010	99.8	100.6	100.0	100.5	100.4	100.5	99.9	100.0	100.1	101.4	101.8	102.4	100.6
2011	103.0	104.1	104.3	105.1	105.6	106.1	106.1	105.7	106.1	107.5	107.9	108.5	105.8

Table 1(D) - Consumer Price Index (C)⁽¹⁾ (Oct 2009 - Sep 2010 = 100)

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
2007	92.1	92.9	92.5	92.4	92.5	92.9	93.4	93.6	93.6	95.0	95.6	96.1	93.5
2008	95.3	96.5	96.6	97.3	97.7	98.2	99.1	99.2	98.6	99.0	99.2	98.7	97.9
2009	98.8	97.9	98.2	98.5	98.2	98.0	98.1	98.2	98.7	99.2	99.2	99.5	98.5
2010	99.1	100.1	99.6	100.6	100.3	100.4	100.7	100.7	100.7	101.2	101.7	102.3	100.6
2011	102.6	103.6	103.8	104.8	105.2	105.8	106.1	106.7	107.0	107.5	107.7	108.3	105.8

(t) (cont'd) : Consumer Price Index (CPI)**Table 1(A) – Year-on-year rates of change in Composite Consumer Price Index⁽²⁾**

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
2007	2.0	0.8	2.4	1.3	1.2	1.3	1.5	1.6	1.6	3.2	3.4	3.8	2.0
2008	3.2	6.3	4.2	5.4	5.7	6.1	6.3	4.6	3.0	1.8	3.1	2.1	4.3
2009	3.1	0.8	1.2	0.6	0.0	-0.9	-1.5	-1.6	0.5	2.2	0.5	1.3	0.5
2010	1.0	2.8	2.0	2.4	2.5	2.8	1.3	3.0	2.6	2.5	2.8	2.9	2.4
2011	3.4	3.6	4.4	4.6	5.2	5.6	7.9	5.7	5.8	5.8	5.7	5.7	5.3

Table 1(B) - Year-on-year rates of change in Consumer Price Index (A)⁽²⁾

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
2007	1.8	-3.2	2.2	0.7	0.7	0.8	1.0	0.7	1.0	2.9	3.1	3.4	1.3
2008	2.9	9.9	3.8	5.5	5.6	6.1	6.4	2.2	-0.3	-1.7	2.1	1.2	3.6
2009	2.1	0.1	0.5	-0.2	-0.5	-1.6	-2.2	-2.4	0.8	5.2	1.0	1.7	0.4
2010	1.7	3.4	2.5	2.9	3.0	3.2	-0.8	3.6	3.2	3.0	3.3	3.3	2.7
2011	3.6	3.8	4.8	5.0	5.6	5.9	12.5	5.4	5.2	5.2	5.3	5.3	5.6

Table 1(C) - Year-on-year rates of change in Consumer Price Index (B)⁽²⁾

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
2007	1.9	2.1	2.3	1.3	1.3	1.4	1.6	1.7	1.8	3.2	3.5	3.9	2.2
2008	3.3	5.2	4.4	5.5	5.8	6.3	6.5	5.5	4.0	2.8	3.3	2.4	4.6
2009	3.4	0.9	1.3	0.9	0.2	-0.7	-1.4	-1.5	0.5	1.3	0.5	1.2	0.5
2010	0.9	2.7	1.9	2.3	2.4	2.7	2.1	3.0	2.5	2.3	2.5	2.7	2.3
2011	3.2	3.5	4.2	4.5	5.2	5.6	6.2	5.8	6.0	6.0	6.0	5.9	5.2

Table 1(D) - Year-on-year rates of change in Consumer Price Index (C)⁽²⁾

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
2007	2.3	3.6	2.7	1.9	1.7	1.9	2.1	2.4	2.2	3.5	3.6	4.0	2.7
2008	3.5	3.9	4.4	5.2	5.5	5.8	6.1	6.0	5.4	4.3	3.8	2.7	4.7
2009	3.7	1.4	1.7	1.2	0.5	-0.3	-0.9	-1.0	0.1	0.1	0.1	0.9	0.6
2010	0.5	2.2	1.5	2.0	2.2	2.4	2.6	2.5	2.0	2.1	2.5	2.8	2.1
2011	3.5	3.5	4.2	4.2	4.9	5.4	5.4	6.0	6.3	6.2	5.9	5.9	5.1

Notes: ⁽¹⁾ The CPIs from October 2009 onwards are compiled based on expenditure weights obtained from the 2009/10 Household Expenditure Survey. The CPIs for earlier periods are compiled based on old weights and have been *re-scaled* to the new base period for linking with the new index series.

⁽²⁾ From October 2010 onwards, the year-on-year rates of change are derived from the 2009/10-based CPIs. The year-on-year rates of change before October 2010 were derived using the index series in the base periods at that time (for instance the 2004/05-based index series), compared with the index a year earlier in the same base period.

(u) : External Debt (ED) Statistics

Position as at end of	\$ million		
	General Government		
	Short-term	Long-term	All maturities
2004	149	12,341	12,490
2005	0	12,227	12,227
2006	0	12,990	12,990
2007	0	13,421	13,421
2008	0	13,096	13,096
2009	0	11,017	11,017
2010	0	10,426	10,426
2011 [@]	0	10,808	10,808

Note: [@] Figures are subject to revision later on.

**National laws applied in the HKSAR
listed in Annex III to the Basic Law**

1. Resolution on the Capital, Calendar, National Anthem and National Flag of the People's Republic of China
2. Resolution on the National Day of the People's Republic of China
3. Declaration of the Government of the People's Republic of China on the Territorial Sea
4. Nationality Law of the People's Republic of China
5. Regulations of the People's Republic of China Concerning Diplomatic Privileges and Immunities
6. Law of the People's Republic of China on the National Flag
7. Regulations of the People's Republic of China concerning Consular Privileges and Immunities.
8. Law of the People's Republic of China on the National Emblem
9. Law of the People's Republic of China on the Territorial Sea and the Contiguous Zone
10. Law of the People's Republic of China on the Garrisoning of the Hong Kong Special Administrative Region
11. Law of the People's Republic of China on the Exclusive Economic Zone and the Continental Shelf
12. Law of the People's Republic of China on Judicial Immunity from Compulsory Measures concerning the Assets of Foreign Central Banks

Statistics on the political system

(a) Complaint cases received from the public on the conduct of major elections during the complaints-handling period, by type of alleged irregularity

Chief Executive Election

	2005	2007
(1) Unfair and unequal treatment by the media	2	11
(2) Treating	1	1
(3) Duress in relation to voting	0	3
(4) Bribery in relation to voting	2	0
(5) Election expenses	1	1
(6) Nomination and candidature ⁽¹⁾	0	1
(7) Noise nuisance and other nuisance	1	1
(8) Miscellaneous	6	6
Total	13	24

Note: ⁽¹⁾ Complaint case received on the polling day

Legislative Council Election

	2007 by-election	2008 general election
(1) Election advertisement	153	857
(2) Electioneering activities on private premises	9	111
(3) Entitlement to vote	8	93
(4) Allocation/designation of polling station	27	166
(5) Nomination and candidature	9	5
(6) Election expenses	5	8
(7) False statements	6	35
(8) False claims of support	0	2
(9) Corruption/bribery/treating/duress/impersonation	16	100
(10) Employment of young persons under 18 years of age for	1	19

	2007 by-election	2008 general election
canvassing/ electioneering activities		
(11) False registration	1	11
(12) Disturbances to electors caused by loudspeakers/telephone canvassing/ shouting electors' names/vehicles	115	735
(13) Personal data privacy	47	104
(14) Unfair and unequal treatment by the media	34	38
(15) Polling arrangements	31	234
(16) No Canvassing Zone (NCZ) Arrangement	1	11
(17) Illegal canvassing NCZ /No Staying Zone (NSZ)	83	221
(18) Conduct of exit poll	7	61
(19) Against Returning Officer or his staff	4	8
(20) Against polling staff	25	146
(21) Counting arrangements	1	1
(22) Complaints outside Electoral Affairs Commission (EAC)'s ambit	5	6
(23) Criminal damage	10	44
(24) Dispute cases	17	29
(25) Intimidation	1	4
(26) False declarations in election matters	0	1
(27) Noise nuisances	165	0
(28) Other nuisances	12	0
(29) No offence alleged	2	0
(30) Others	57	430
Total	852	3 480

District Council Ordinary Election

	2007 ordinary election	2011 ordinary election
(1) Election advertisements	1 968	2 875
(2) Nomination and candidature	20	11
(3) Election expenses	28	29
(4) False statement about a candidate	334	395
(5) False claim of support	89	73
(6) Unfair and unequal treatment by the media	18	20
(7) Electioneering activities on private premises	406	435
(8) Employment of young persons under 18 years of age for canvassing/electioneering activities	23	14
(9) Disturbances to electors caused by loudspeakers/telephone canvassing/shouting electors' names/broadcasting vans	1 370	1 654
(10) Personal data privacy	134	188
(11) Criminal damage	187	210
(12) Illegal canvassing in NCZ/NSZ	385	295
(13) No canvassing zone arrangements	21	18
(14) Conduct of exit polls	55	21
(15) Entitlement to vote	40	63
(16) Corruption/bribery/treating/duress/ Impersonation	240	348
(17) Dispute case	103	136
(18) Against Returning Officer or his staff	17	28
(19) Against polling staff	113	107
(20) Allocation/designation of polling station	78	110
(21) Polling arrangement	87	114
(22) Others/Miscellaneous	414	664
(23) Complaints outside EAC's ambit	7	31
(24) False registration	36	115
(25) Counting arrangement	2	1
(26) Intimidation	10	4
(27) Triad related or other incidents	2	3
Total	6 187	7 962

District Council By-elections

	2005 ¹	2006 ²	2007 ³	2008 ⁴	2009 ⁵	2010 ⁶	2011 ⁷
(1) Election advertisements	72	66	14	11	30	34	
(2) Nomination and candidature					2		
(3) Election expenses					1	2	
(4) False statement about a candidate	4	3	2	1	1	5	
(5) False claim of support	2	3					
(6) Unfair and unequal treatment by the media	1	3					
(7) Electioneering activities at living/ working places of electors	2						
(8) Electioneering activities on private premises	4	3	3		15		2
(9) Employment of young persons under 18 years of age for canvassing/ electioneering activities		1	1				
(10) Disturbances to electors caused by loudspeakers/telephone canvassing/ shouting electors' names/broadcasting vans	17	19	8	13	122	2	4
(11) Personal data privacy			1		3	2	3
(12) Criminal damage	2		2	1	1		
(13) Failing to comply with requirements in relation to			1				

¹ Including By-elections in Southern District Council (DC) Ap Lei Chau North Constituency, Kwun Tong DC King Tin Constituency, Sham Shui Po DC Nam Cheong Central Constituency, Eastern DC Fort Street Constituency

² Including By-elections in Central & Western DC Centre Street Constituency, Eastern DC Tsui Wan Constituency

³ Including By-elections in Tai Po DC Hong Lok Yuen Constituency, Sha Tin DC Kam Ying Constituency, Kwun Tong DC Kai Yip Constituency, Kowloon City DC Hung Hom Bay Constituency

⁴ Including By-elections in Yau Tsim Mong DC Jordan East Constituency, Wong Tai Sin DC Tsz Wan West Constituency

⁵ Including By-elections in Wan Chai DC Canal Road Constituency, Sha Tin DC Tai Wai Constituency, Kwai Tsing DC Kwai Shing East Estate Constituency

⁶ Southern DC Pokfulam Constituency By-election

⁷ Including By-elections in Yuen Long DC Shap Pat Heung North Constituency, Tsuen Wan DC Fuk Loi Constituency

	2005 ¹	2006 ²	2007 ³	2008 ⁴	2009 ⁵	2010 ⁶	2011 ⁷
publication of election advertisements							
(14) Illegal canvassing in NCZ/NSZ	30	55	13	6	3	5	1
(15) No canvassing zone arrangements				1	1		1
(16) Conduct of exit polls	1				3	1	
(17) Noise nuisance	45	56	35	10			
(18) Other nuisance	7	1		1			3
(19) Entitlement to vote		1					
(20) Corruption/bribery/treating/dress/ Impersonation	2	4		2	15		1
(21) Dispute case	2	1			10		
(22) Against Returning Officer or his staff	1						
(23) Against polling staff				1		2	1
(24) Allocation/designation of polling station					1		
(25) Polling arrangement	1						
(26) Others/Miscellaneous	9	25	7	4	12	24	4
(27) Complaints outside EAC's ambit	1		1		2		
Total	203	241	88	51	222	77	20

(b) Population coverage and breakdown of ownership of major media channels (as at 31 December 2011)

Population coverage of free-to-air TV and radio broadcasting	Nearly 100%
Number of local newspapers registered under the Registration of Local Newspaper Ordinance (Cap. 268)	50
Number of periodicals registered under the Registration of Local Newspaper Ordinance	651
Number of news agencies registered under the Registration of Local Newspaper Ordinance	14

(c) Average voter turnouts in elections

	Voter Turnout Rate (%)
(1) 2007 Chief Executive Election	99.12
(2) 2011 Election Committee Subsector Elections	27.60
(3) 2006 Election Committee Subsector Elections	27.43
(4) 2005 Election Committee Subsector By-elections	14.95
(5) 2010 Legislative Council By-election	
• <i>Geographical Constituency</i>	17.19
(6) 2008 Legislative Council General Election	
• <i>Geographical Constituency</i>	45.20
• <i>Functional Constituency</i>	59.76
(7) 2007 Legislative Council Hong Kong Island Geographical Constituency By-election	52.06
(8) 2011 District Council Ordinary Election	41.49
(9) 2007 District Council Ordinary Election	38.83
(10) 2005-2011 District Councils By-elections	
• <i>2011 Tsuen Wan District Council Fuk Loi Constituency</i>	41.32
• <i>2011 Yuen Long District Council Shap Pat Heung North Constituency</i>	26.03
• <i>2010 Southern District Council Pokfulam Constituency</i>	39.47
• <i>2009 Kwai Tsing District Council Kwai Shing East Estate Constituency</i>	38.62
• <i>2009 Wan Chai District Council Canal Road Constituency</i>	25.86
• <i>2009 Sha Tin District Council Tai Wai Constituency</i>	49.02
• <i>2008 Wong Tai Sin District Council Tsz Wan West Constituency</i>	41.34
• <i>2008 Yau Tsim Mong District Council Jordan East Constituency</i>	25.68
• <i>2007 Kowloon City District Council Hung Hom Bay Constituency</i>	20.83
• <i>2007 Tai Po District Council Hong Lok Yuen Constituency</i>	30.78
• <i>2007 Kwun Tong District Council Kai Yip Constituency</i>	46.97
• <i>2007 Sha Tin District Council Kam Ying Constituency</i>	35.35
• <i>2006 Eastern District Council Tsui Wan Constituency</i>	45.39
• <i>2006 Central & Western District Council Centre Street Constituency</i>	36.88
• <i>2005 Kwun Tong District Council King Tin Constituency</i>	37.50
• <i>2005 Southern District Council Ap Lei Chau North Constituency</i>	31.28
• <i>2005 Eastern District Council Fort Street Constituency</i>	28.30
• <i>2005 Sham Shui Po District Council Nam Cheong Central Constituency</i>	33.13

Statistics on crime and the administration of justice

(a) Average length of remand in correctional facilities

	2007	2008	2009	2010	2011
Male	48	48	55	61	66
Female	34	35	36	39	52
All	45	45	51	56	63

Note: Figures refer to the average remand lengths (in number of days) for sentenced persons since they were remanded in CSD until they were sentenced to imprisonment in CSD.

(b) Statistics on sentenced persons

(1) Sentenced persons by type of offence and by sex (as at end of year)

Type of Offence	Male					Female					Total				
	2007	2008	2009	2010	2011	2007	2008	2009	2010	2011	2007	2008	2009	2010	2011
Against Lawful Authority															
Unlawful society	60	53	49	52	49	0	0	0	0	0	60	53	49	52	49
Possession of offensive weapons	33	30	18	11	24	0	0	0	0	1	33	30	18	11	25

Type of Offence	Male					Female					Total				
	2007	2008	2009	2010	2011	2007	2008	2009	2010	2011	2007	2008	2009	2010	2011
Perjury	151	104	67	44	31	120	115	73	52	21	271	219	140	96	52
Others	41	27	14	26	21	2	0	5	2	1	43	27	19	28	22
Sub-total	285	214	148	133	125	122	115	78	54	23	407	329	226	187	148
Against Public Morality															
Rape	66	67	64	67	74	0	0	0	0	2	66	67	64	67	76
Indecent assault	72	66	63	80	75	0	2	2	2	1	72	68	65	82	76
Keeping a vice establishment	103	61	81	60	53	8	6	6	2	3	111	67	87	62	56
Others	61	78	73	92	81	9	8	2	3	1	70	86	75	95	82
Sub-total	302	272	281	299	283	17	16	10	7	7	319	288	291	306	290
Against the Person															
Murder	246	239	242	244	246	11	12	12	11	12	257	251	254	255	258
Manslaughter/ Attempted murder	92	90	75	72	75	5	4	4	7	9	97	94	79	79	84
Wounding/ Serious assault	293	302	232	253	197	24	32	20	31	27	317	334	252	284	224
Others	69	57	68	75	62	12	8	12	3	3	81	65	80	78	65
Sub-total	700	688	617	644	580	52	56	48	52	51	752	744	665	696	631
Against Property															
Robbery	609	499	445	362	316	9	10	8	6	4	618	509	453	368	320
Burglary	406	285	304	311	315	5	9	8	10	13	411	294	312	321	328
Theft	909	780	695	698	690	227	215	234	211	189	1 136	995	929	909	879
Others	280	221	203	232	201	61	48	36	31	30	341	269	239	263	231
Sub-total	2 204	1 785	1 647	1 603	1 522	302	282	286	258	236	2 506	2 067	1 933	1 861	1 758

Type of Offence	Male					Female					Total				
	2007	2008	2009	2010	2011	2007	2008	2009	2010	2011	2007	2008	2009	2010	2011
Against the Penal Code															
Possession of forged identity document	301	348	235	196	135	327	456	291	295	155	628	804	526	491	290
Forgery/Counterfeiting	99	99	111	135	110	41	44	39	40	32	140	143	150	175	142
Others	251	224	203	255	233	106	115	92	105	97	357	339	295	360	330
Sub-total	651	671	549	586	478	474	615	422	440	284	1 125	1 286	971	1 026	762
Against Local Laws															
Remaining in Hong Kong unlawfully	487	480	336	298	223	233	227	202	186	135	720	707	538	484	358
Breach of condition of stay	99	106	88	131	83	266	240	204	203	107	365	346	292	334	190
Publishing of obscene articles	114	134	90	124	104	0	2	0	5	3	114	136	90	129	107
Soliciting for immoral purpose	2	2	4	2	1	61	20	27	13	14	63	22	31	15	15
Possession of dutiable commodities	76	37	62	52	69	13	10	13	10	14	89	47	75	62	83
Others	610	599	547	499	372	95	102	95	114	85	705	701	642	613	457
Sub-total	1 388	1 358	1 127	1 106	852	668	601	541	531	358	2 056	1 959	1 668	1 637	1 210

Type of Offence	Male					Female					Total				
	2007	2008	2009	2010	2011	2007	2008	2009	2010	2011	2007	2008	2009	2010	2011
Narcotics Offences															
Trafficking in Dangerous Drugs	1 473	1 391	1 744	1 921	1 945	168	186	221	274	292	1 641	1 577	1 965	2 195	2 237
Possession of Dangerous Drugs	437	544	518	504	519	94	101	106	133	122	531	645	624	637	641
Others	79	73	73	70	71	10	7	9	7	13	89	80	82	77	84
Sub-total	1 989	2 008	2 335	2 495	2 535	272	294	336	414	427	2 261	2 302	2 671	2 909	2 962
Total	7 519	6 996	6 704	6 866	6 375	1 907	1 979	1 721	1 756	1 386	9 426	8 975	8 425	8 622	7 761

Note : Sentenced persons include prisoners and inmates but exclude civil prisoners.

(2) Sentenced persons by type of offence and by age on admission (as at end of year)

Type of Offence	Aged 21 or over					Aged under 21					Total				
	2007	2008	2009	2010	2011	2007	2008	2009	2010	2011	2007	2008	2009	2010	2011
Against Lawful Authority															
Unlawful society	34	37	34	31	35	26	16	15	21	14	60	53	49	52	49
Possession of offensive weapons	25	20	12	7	14	8	10	6	4	11	33	30	18	11	25
Perjury	264	207	134	87	51	7	12	6	9	1	271	219	140	96	52
Others	32	15	14	23	18	11	12	5	5	4	43	27	19	28	22
Sub-total	355	279	194	148	118	52	50	32	39	30	407	329	226	187	148
Against Public Morality															
Rape	62	60	61	62	73	4	7	3	5	3	66	67	64	67	76
Indecent assault	65	61	50	69	63	7	7	15	13	13	72	68	65	82	76
Keeping a vice establishment	108	65	85	61	55	3	2	2	1	1	111	67	87	62	56
Others	50	65	56	72	65	20	21	19	23	17	70	86	75	95	82
Sub-total	285	251	252	264	256	34	37	39	42	34	319	288	291	306	290
Against the Person															
Murder	256	249	249	251	256	1	2	5	4	2	257	251	254	255	258
Manslaughter/ Attempted murder	91	90	78	78	82	6	4	1	1	2	97	94	79	79	84
Wounding/ Serious	238	252	193	219	191	79	82	59	65	33	317	334	252	284	224

Type of Offence	Aged 21 or over					Aged under 21					Total				
	2007	2008	2009	2010	2011	2007	2008	2009	2010	2011	2007	2008	2009	2010	2011
assault															
Others	75	58	74	75	64	6	7	6	3	1	81	65	80	78	65
Sub-total	660	649	594	623	593	92	95	71	73	38	752	744	665	696	631
Against Property															
Robbery	521	442	382	321	268	97	67	71	47	52	618	509	453	368	320
Burglary	379	267	290	292	309	32	27	22	29	19	411	294	312	321	328
Theft	1 041	905	863	853	821	95	90	66	56	58	1 136	995	929	909	879
Others	309	233	210	225	210	32	36	29	38	21	341	269	239	263	231
Sub-total	2 250	1 847	1 745	1 691	1 608	256	220	188	170	150	2 506	2 067	1 933	1 861	1 758
Against the Penal Code															
Possession of forged identity document	608	765	511	479	285	20	39	15	12	5	628	804	526	491	290
Forgery/Counterfeiting	134	137	144	170	137	6	6	6	5	5	140	143	150	175	142
Others	352	334	293	357	324	5	5	2	3	6	357	339	295	360	330
Sub-total	1 094	1 236	948	1 006	746	31	50	23	20	16	1 125	1 286	971	1 026	762
Against Local Laws															
Remaining in Hong Kong unlawfully	658	673	512	462	341	62	34	26	22	17	720	707	538	484	358
Breach of condition of stay	350	335	280	323	185	15	11	12	11	5	365	346	292	334	190

Type of Offence	Aged 21 or over					Aged under 21					Total				
	2007	2008	2009	2010	2011	2007	2008	2009	2010	2011	2007	2008	2009	2010	2011
Publishing of obscene articles	114	136	90	127	105	0	0	0	2	2	114	136	90	129	107
Soliciting for immoral purpose	59	21	27	15	15	4	1	4	0	0	63	22	31	15	15
Possession of dutiable commodities	88	45	69	60	80	1	2	6	2	3	89	47	75	62	83
Others	627	612	563	542	401	78	89	79	71	56	705	701	642	613	457
Sub-total	1 896	1 822	1 541	1 529	1 127	160	137	127	108	83	2 056	1 959	1 668	1 637	1 210
Narcotics Offences															
Trafficking in dangerous drugs	1 552	1 439	1 750	1 919	1 957	89	138	215	276	280	1 641	1 577	1 965	2 195	2 237
Possession of dangerous drugs	450	491	476	521	534	81	154	148	116	107	531	645	624	637	641
Others	87	73	75	73	79	2	7	7	4	5	89	80	82	77	84
Sub-total	2 089	2 003	2 301	2 513	2 570	172	299	370	396	392	2 261	2 302	2 671	2 909	2 962
Total	8 629	8 087	7 575	7 774	7 018	797	888	850	848	743	9 426	8 975	8 425	8 622	7 761

Note: Sentenced persons include prisoners and inmates but exclude civil prisoners.

(3) Sentenced persons by length of sentence and by sex (as at end of year)

Length of Sentence	Male					Female					Total				
	2007	2008	2009	2010	2011	2007	2008	2009	2010	2011	2007	2008	2009	2010	2011
Determinate Sentence															
less than 1 month	44	40	61	32	28	37	18	21	39	7	81	58	82	71	35
1 to less than 3 months	178	177	146	187	137	234	200	179	156	87	412	377	325	343	224
3 to less than 6 months	367	333	297	331	254	143	137	109	114	83	510	470	406	445	337
6 to less than 12 months	884	741	623	631	504	317	260	188	200	125	1 201	1 001	811	831	629
12 to less than 18 months	1 024	1 009	794	777	639	587	704	561	526	334	1 611	1 713	1 355	1 303	973
18 months to less than 3 years	1 164	1 002	1 077	1 055	1 054	181	209	155	192	195	1 345	1 211	1 232	1 247	1 249
3 years	152	119	128	184	160	26	27	17	21	18	178	146	145	205	178
over 3 to 6 years	1 236	1 155	1 249	1 338	1 261	106	131	139	119	113	1 342	1 286	1 388	1 457	1 374
over 6 to less than 10 years	440	439	469	505	503	40	41	53	65	83	480	480	522	570	586
10 years and over	729	644	618	594	650	46	48	63	76	101	775	692	681	670	751

Length of Sentence	Male					Female					Total				
	2007	2008	2009	2010	2011	2007	2008	2009	2010	2011	2007	2008	2009	2010	2011
Indeterminate Sentence															
Life (Mandatory)	223	219	219	220	224	10	12	12	11	12	233	231	231	231	236
Life (Discretionary)	20	21	22	21	21	0	0	0	0	0	20	21	22	21	21
Admissions under Mental Health Ordinance/ Criminal Procedure Ordinance	44	47	45	42	46	6	6	7	9	8	50	53	52	51	54
Total	6 505	5 946	5 748	5 917	5 481	1 733	1 793	1 504	1 528	1 166	8 238	7 739	7 252	7 445	6 647

Note : Figures exclude civil prisoners.

(4) Sentenced persons by length of sentence and by age on admission (as at end of year)

Length of Sentence	Aged 21 or over					Aged under 21					Total				
	2007	2008	2009	2010	2011	2007	2008	2009	2010	2011	2007	2008	2009	2010	2011
Determinate Sentence															
less than 1 month	75	57	75	69	33	6	1	7	2	2	81	58	82	71	35
1 to less than 3 months	396	365	316	332	217	16	12	9	11	7	412	377	325	343	224
3 to less than 6 months	502	462	398	440	334	8	8	8	5	3	510	470	406	445	337
6 to less than 12 months	1 150	964	794	816	624	51	37	17	15	5	1 201	1 001	811	831	629
12 to less than 18 months	1 567	1 657	1 311	1 261	946	44	56	44	42	27	1 611	1 713	1 355	1 303	973
18 months to less than 3 years	1 314	1 179	1 172	1 183	1 182	31	32	60	64	67	1 345	1 211	1 232	1 247	1 249
3 years over 3 to 6 years	176	140	130	179	166	2	6	15	26	12	178	146	145	205	178
over 6 to less than 10 years	1 285	1 206	1 285	1 327	1 231	57	80	103	130	143	1 342	1 286	1 388	1 457	1 374
10 years and over	467	462	501	545	560	13	18	21	25	26	480	480	522	570	586
	768	688	675	660	736	7	4	6	10	15	775	692	681	670	751

Length of Sentence	Aged 21 or over					Aged under 21					Total				
	2007	2008	2009	2010	2011	2007	2008	2009	2010	2011	2007	2008	2009	2010	2011
Indeterminate Sentence															
Life (Mandatory)	233	231	230	230	236	0	0	1	1	0	233	231	231	231	236
Life (Discretionary)	20	20	21	20	20	0	1	1	1	1	20	21	22	21	21
Admissions under Mental Health Ordinance/ Criminal Procedure Ordinance	50	52	51	51	54	0	1	1	0	0	50	53	52	51	54
Total	8 003	7 483	6 959	7 113	6 339	235	256	293	332	308	8 238	7 739	7 252	7 445	6 647

Note : Figures exclude civil prisoners.

(c) Death of Persons under custody of the Police and Correctional Services Department (CSD)

(1) Incidence of death in Police custody

Age on Death	Male					Female					Total				
	2007	2008	2009	2010	2011	2007	2008	2009	2010	2011	2007	2008	2009	2010	2011
< 21	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
21 - 30	0	0	0	0	0	0	0	1	0	0	0	0	1	0	0
31 - 40	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1
41 - 50	0	0	1	1	0	0	0	0	0	0	0	0	1	1	0
51 - 60	1	0	0	2	0	0	0	0	1	0	1	0	0	3	0
61 - 70	0	1	0	0	0	1	0	0	0	0	1	1	0	0	0
71 - 80	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
81 and over	0	0	1	0	0	0	1	0	0	0	0	1	1	0	0
Total	1	1	2	3	1	1	1	1	1	0	2	2	3	4	1

(2) Incidence of death in custody of the CSD - by age and sex

Age on Death	Male					Female					Total				
	2007	2008	2009	2010	2011	2007	2008	2009	2010	2011	2007	2008	2009	2010	2011
<21	2	0	0	0	0	0	0	0	0	0	2	0	0	0	0
21 - 30	3	0	1	0	1	1	0	1	1	0	4	0	2	1	1
31 - 40	3	1	2	3	0	0	0	0	0	0	3	1	2	3	0
41 - 50	3	4	4	5	1	0	0	1	0	2	3	4	5	5	3
51 - 60	1	6	9	3	4	0	1	2	0	0	1	7	11	3	4
61 - 70	1	1	2	0	3	0	0	0	0	0	1	1	2	0	3
71 - 80	3	0	2	4	2	0	0	0	0	0	3	0	2	4	2
81 and over	1	0	1	0	0	0	0	0	0	0	1	0	1	0	0
Total	17	12	21	15	11	1	1	4	1	2	18	13	25	16	13

Application of International Human Rights Treaties to the HKSAR

Part A : Main international human rights convention and protocols

International Covenant on Economic, Social and Cultural Rights (ICESCR)

By a notification on 20 June 1997, the Government of the People's Republic of China (PRC) informed the United Nations Secretary-General of the status of Hong Kong in relation to treaties deposited with the Secretary-General. The notification specifically sets out, among other things, that the provisions of the ICESCR as applied to Hong Kong shall remain in force beginning from 1 July 1997.

On 20 April 2001, the Government of PRC notified the Secretary-General of the following statement on the application of the Covenant to the HKSAR:

- “1. Article 6 of the Covenant does not preclude the formulation of regulations by the HKSAR for employment restrictions, based on place of birth or residence qualifications, for the purpose of safeguarding the employment opportunities of local workers in the HKSAR.

2. “National federations or confederations” in Article 8.1(b) of the Covenant shall be interpreted, in this case, as “federations or confederations in the HKSAR” and this Article does not imply the right of trade union federations or confederations to form or join political organisations or bodies established outside the HKSAR.”

International Covenant on Civil and Political Rights (ICCPR)

The abovementioned notification of 20 June 1997 from the Government of the PRC also informed the Secretary-General that the provisions of ICCPR as applied to Hong Kong shall remain in force beginning from 1 July 1997.

In 1976, the Government of the United Kingdom ratified the Covenant with certain reservations and declarations, and extended the Covenant to Hong Kong. The reservations and declarations which continue to apply to HKSAR are as follows.

Declaration made on signing the Covenant

“First, the Government of the United Kingdom declare their understanding that, by virtue of Article 103 of the Charter of the United Nations, in the event of any conflict between their obligations under Article 1 of the Covenant and their obligations under the Charter (in particular, under Articles 1, 2 and 73 thereof) their obligations under the Charter shall prevail.”

Declarations and reservations made on depositing the instrument of ratification of the Covenant

“Firstly the Government of the United Kingdom maintain their declaration in respect of Article 1 made at the time of signature of the Covenant.”

“The Government of the United Kingdom reserve the right to apply to members of and persons serving with the armed forces of the Crown and to persons lawfully detained in penal establishments of whatever character such laws and procedures as they may from time to time deem to be necessary for the preservation of service and custodial discipline and their acceptance of the provisions of the Covenant is subject to such restrictions as may for these purposes from time to time be authorised by law.”

“Where at any time there is a lack of suitable prison facilities or where the mixing of adults and juveniles is deemed to be mutually beneficial, the Government of the United Kingdom reserve the right not to apply Article 10.2(b) and 10.3 so far as those provisions require juveniles who are detained to be accommodated separately from adults, ...”

“The Government of the United Kingdom reserve the right to interpret the provisions of Article 12.1 relating to the territory of a State as applying separately to each of the territories comprising the United Kingdom and its dependencies.”

“The Government of the United Kingdom reserve the right to continue to apply such immigration legislation governing entry into, stay in and departure from the United Kingdom as they may deem necessary from time to time and, accordingly, their acceptance of Article 12.4 and of the other provisions of the Covenant is subject to the provisions of any such legislation as regards persons not at the time having the right under the law of the United Kingdom to enter and remain in the United Kingdom. The United Kingdom also reserves a similar right in regard to each of its dependent territories.”

“The Government of the United Kingdom reserve the right not to apply Article 13 in Hong Kong in so far as it confers a right of review of a decision to deport an alien and a right to be represented for this purpose before the competent authority.”

“The Government of the United Kingdom interpret Article 20 consistently with the rights conferred by Articles 19 and 21 of the Covenant and having legislated in matters of practical concern in the interests of public order (ordre public) reserve the right not to introduce any further legislation. The United Kingdom also reserve a similar in regard to each of its dependent territories.”

“The Government of the United Kingdom reserve the right to enact such nationality legislation as they may deem necessary from time to time to reserve the acquisition and possession of citizenship under such legislation to those having sufficient connection with the United

Kingdom or any of its dependent territories and accordingly their acceptance of Article 24.3 and of the other provisions of the Covenant is subject to the provisions of any such legislation.”

“The Government of the United Kingdom reserve the right not to apply sub-paragraph (b) of Article 25 in so far as it may require the establishment of an elected Executive or Legislative Council in Hong Kong ...”.

International Convention on the Elimination of All Forms of Racial Discrimination

On 10 June 1997, the Government of the PRC issued a letter to the United Nations Secretary-General giving notification that the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) will apply to the HKSAR with effect from 1 July 1997. The Government of the PRC also makes the following declarations:

“The reservation made by the Government of the People’s Republic of China to Article 22 of the Convention will also apply to the Hong Kong Special Administrative Region.

The reservation of the People’s Republic of China on behalf of the Hong Kong Special Administrative Region interprets the requirement in Article 6 concerning “reparation and satisfaction” as being fulfilled if one or other of these forms of redress is made available and interprets “satisfaction” as including any form of redress effective to bring the discriminatory conduct to an end.”

Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)

CEDAW was extended to Hong Kong, with the consent of the PRC and the United Kingdom, on 14 October 1996. The Government of the PRC notified the Secretary-General that the Convention would continue to apply to the HKSAR with effect from 1 July 1997, with the following reservations and declarations :

- “1. The reservation made by the Government of the People’s Republic of China to paragraph 1 of Article 29 of the Convention will also apply to the Hong Kong Special Administrative Region.

2. The Government of the People’s Republic of China understands, on behalf of the Hong Kong Special Administrative Region, the main purpose of the Convention, in the light of the definition contained in Article 1, to be the reduction, in accordance with its terms, of discrimination against women, and does not therefore regard the Convention as imposing any requirement upon the Hong Kong Special Administrative Region to repeal or modify any of its existing laws, regulations, customs or practices which provide for women to be treated more favourably than men, whether temporarily or in the longer term. Undertakings by the Government of the People’s Republic of China on behalf of the Hong Kong Special Administrative Region under Article 4, paragraph 1, and other provisions of the Convention are to be construed accordingly.

3. The Government of the People’s Republic of China reserves, for the Hong Kong Special Administrative Region, the right to continue to apply relevant immigration legislation governing the entry into, stay in and departure from the Hong Kong Special Administrative Region as may be deemed necessary from time to time. Accordingly, acceptance of Article 15, paragraph 4, and of the other provisions of the Convention is subject to the provisions of

any such legislation as regards persons not at the time having the right under the laws of the Hong Kong Special Administrative Region to enter and remain in the Hong Kong Special Administrative Region.

4. The Government of the People's Republic of China understands, in the light of the definition contained in Article 1, that none of its obligations under the Convention shall be treated as extending to the affairs of religious denominations or orders in the Hong Kong Special Administrative Region.
5. Laws applicable in the New Territories of the Hong Kong Special Administrative Region which enable male indigenous villagers to exercise certain rights in respect of property and which provide for rent concessions in respect of land or property held by indigenous persons or their lawful successors through the male line will continue to be applied.
6. The Government of the People's Republic of China reserves, for the Hong Kong Special Administrative Region, the right to apply all its legislation and the rules of pension schemes affecting retirement pensions, survivors' benefits in relation to death or retirement (including retirement on ground of redundancy), whether or not derived from a social security scheme.

This reservation will apply equally to any future legislation which may modify or replace such aforesaid legislation, or the rules of pension schemes, on the understanding that the terms of such legislation will be compatible with the Government of the People's Republic of China's obligations under the Convention in respect of the Hong Kong Special Administrative Region.

The Government of the People's Republic of China reserves the right for the Hong Kong Special Administrative Region to apply any non-discriminatory requirement for a qualifying

period of employment for the application of the provisions contained in Article 11, paragraph 2 of the Convention.

7. The Government of the People's Republic of China understands, on behalf of the Hong Kong Special Administrative Region, the intention of Article 15, paragraph 3, of the Convention to be that only those terms or elements of the contract or other private instrument which are discriminatory in the sense described are to be deemed null and void, but not necessarily the contract or instrument as a whole."

Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)

On 10 June 1997, the Government of the PRC notified the United Nations Secretary-General that the Convention will apply to the HKSAR with effect from 1 July 1997. The PRC Government also made the following declaration:

- The reservations made by the Government of the People's Republic of China to article 20 and paragraph 1 of article 30 of the Convention will also apply to the Hong Kong Special Administrative Region.

Convention on the Rights of the Child (CRC)

On 10 June 1997, the Government of the PRC issued a letter to the United Nations Secretary-General and a number of diplomatic notes stating that the reservations and declarations entered by the Government of the PRC on its ratification of the Convention in 1992 are also applicable to the HKSAR with effect from 1 July 1997. In addition, the notification made by the Government of the PRC contained the following declarations:

- “1. The Government of the People’s Republic of China, on behalf of the Hong Kong Special Administrative Region, interprets the Convention as applicable only following a live birth.
2. The Government of the People’s Republic of China reserves, for the Hong Kong Special Administrative Region, the right to apply such legislation, in so far as it relates to the entry into, stay in and departure from the Hong Kong Special Administrative Region of those who do not have the right under the laws of the Hong Kong Special Administrative Region to enter and remain in the Hong Kong Special Administrative Region, and to the acquisition and possession of residency as it may deem necessary from time to time.
3. The Government of the People’s Republic of China interprets, on behalf of the Hong Kong Special Administrative Region, the references in the Convention to “parents” to mean only those persons who, under the laws of the Hong Kong Special Administrative Region, are treated as parents. This includes cases where the laws regard a child as having only one parent, for example where a child has been adopted by one person only and in certain cases where a child is conceived other than as a result of sexual intercourse by the woman who gives birth to it and she is treated as the only parent.
4. The Government of the People’s Republic of China reserves, for the Hong Kong Special Administrative Region, the right not to apply article 32(2)(b) of the Convention in so far as it might require regulation of the hours of employment of young persons who have attained the age of fifteen years in respect of work in non-industrial establishments.
5. Where at any time there is a lack of suitable detention facilities, or where the mixing of adults and children is deemed to be mutually beneficial, the Government of the People’s Republic of China reserves, for the Hong Kong

Special Administrative Region, the right not to apply Article 37(c) of the Convention in so far as those provisions require children who are detained to be accommodated separately from adults.”

In regard to the above-mentioned declaration, by a notification received on 10 April 2003, the Government of the PRC informed the Secretary-General that it had decided to withdraw its declaration relating to article 22 of the Convention. The declaration read as follows:

“The Government of the People’s Republic of China, on behalf of the Hong Kong Special Administrative Region, seeks to apply the Convention to the fullest extent to children seeking asylum in the Hong Kong Special Administrative Region except in so far as conditions and resources make full implementation impracticable. In particular, in relation to article 22 of the Convention the Government of the People’s Republic of China reserves the right to continue to apply legislation in the Hong Kong Special Administrative Region governing the detention of children seeking refugee status, the determination of their status and their entry into, stay in and departure from the Hong Kong Special Administrative Region.”

Convention on the Rights of Persons with Disabilities (CRPD)

On 1 August 2008, the Government of the PRC deposited its Instrument of Ratification of CRPD with the Secretary-General and made the following declarations in respect of the HKSAR:

“In accordance with the Basic Law of the Hong Kong Special Administrative Region of the People’s Republic of China..., the Government of the People’s Republic of China decides that the Convention shall apply to the Hong Kong Special Administrative Region....

The application of the provisions regarding liberty of movement and nationality of the Convention on the Rights of Persons with Disabilities to the Hong Kong Special Administrative Region of the People's Republic of China, shall not change the validity of relevant laws on immigration control and nationality application of the Hong Kong Special Administrative Region of the People's Republic of China.”

The CRPD entered into force for the PRC, including the HKSAR, on 31 August 2008.

The HKSAR periodically reviews the need of the continued applicability of the relevant reservations and declarations.

Part B : Other United Nations human rights and related conventions

The following United Nations human rights and related conventions apply to the HKSAR :

- Convention on the Prevention and Punishment of the Crime of Genocide
- Slavery Convention
- Convention relating to the Status of Stateless Persons
- United Nations Convention against Transnational Organised Crime

Part C : Geneva Conventions

The following Geneva Conventions are applicable to HKSAR :

- Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, 1949
- Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, 1949

- Geneva Convention relative to the Treatment of Prisoners of War, 1949
- Geneva Convention relative to the Protection of Civilian Persons in Time of War, 1949

Part D : Conventions of the International Labour Organisation

The following Conventions of the International Labour Organisation apply to the HKSAR :

- Weekly Rest (Industry) Convention, 1921 (No. 14)
- Forced Labour Convention, 1930 (No. 29)
- Labour Inspection Convention, 1947 (No. 81)
- Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)
- Migration for Employment Convention (Revised), 1949 (No. 97)
- Right to Organise and Collective Bargaining Convention, 1949 (No. 98)
- Abolition of Forced Labour Convention, 1957 (No. 105)
- Employment Policy Convention, 1964 (No. 122)
- Minimum Age Convention, 1973 (No. 138)
- Labour Relations (Public Service) Convention, 1978 (No. 151)
- Worst Forms of Child Labour Convention, 1999 (No. 182)

Part E : Conventions of the Hague Conference on Private International Law

The following Conventions of the Hague Conference on Private International Law apply to the HKSAR:

- Convention on Protection of Children and Co-operation in respect of Inter-country Adoption
- Convention on the Recognition of Divorces and Legal Separations
- Convention on the Civil Aspects of International Child Abduction