

The Present HKSAR Human Rights with Special Reference to Education

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Background

This report¹ is submitted to the committee of the 129th session of the United Nations Commission on human rights to examine the human rights report of Hong Kong today, particularly in the aspect of the situation in human rights education.

In recent years, the issue of "human rights in Hong Kong" has aroused not only heated discussions in the Hong Kong Special Administrative Region of the People's Republic of China (HKSAR), but has even become one of the international focuses. In order to provide a more comprehensive overview of human rights in Hong Kong to other countries and the public, this report first describes and elaborates on the "human rights in Hong Kong" and explores the implementation of human rights in Hong Kong in details with reference to education.

The joint declaration of the government of the People's Republic of China and the government of the United Kingdom of Great Britain and Northern Ireland on Hong Kong was signed by the British and Chinese governments on 19 December 1984 (the "declaration"). The declaration also states that, with the return of Hong Kong to China², under the principle of "one country, two systems", the old capitalist system can be maintained and a high degree of autonomy granted. The government of the Hong Kong Special Administrative Region shall enjoy executive, legislative, independent judicial and final judicial powers³, and the relevant policies shall be provided for in the Basic Law of the Hong Kong Special Administrative Region. Following the signing of the declaration, the Hong Kong Basic Law Drafting Committee was established at the 6th NPC meeting in 1985 to appoint a total of 59 members, including 23 members from Hong Kong and 36 from the mainland. After nearly five years, the committee completed the drafting of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China (hereinafter referred to as the Basic Law) and promulgated it on 4 April 1990 at the seventh session of the National People's Congress⁴.

The Basic Law is a constitutional document of the Hong Kong Special Administrative Region. It states explicitly the important concepts of "one country, two systems", "high degree of autonomy" and "Hong Kong people rule Hong Kong" in the form of laws. It also stipulates the implementation of various policy systems in the Hong Kong Special Administrative Region⁵. Since the handover of Hong Kong in 1997, the Basic Law has been one of the

¹ Author of the report: Principal Ho Hon Kuen, Chairman of the Education Convergence.

² See the Sino-British Joint Declaration. <https://www.cmab.gov.hk/tc/issues/jd2.htm>. last viewed date 2 May 2020)

³ See the joint statement of the Sino-British Joint Declaration (Annex I). <https://www.cmab.gov.hk/tc/issues/jd3.htm>. last viewed date 2 May 2020

⁴ See the civil service newsletter, The Basic Law, in detail. https://www.csb.gov.hk/hkgcsb/csn/csn99/99c/basic_law_1.html. last viewed date 2 May 2020

⁵ See "Introduction to the Basic Law". <https://www.basiclaw.gov.hk/tc/facts/index.html>. last viewed date 2 May

important factors in the protection of the human rights of the people of Hong Kong. Article 4 of the Basic Law stipulates that the HKSAR shall protect the rights and freedoms of the residents and other persons of the HKSAR in accordance with the law. The freedoms and rights enjoyed by Hong Kong residents and others are described in details in Chapters 3 and 6 of the Basic Law, including academic freedom, freedom of religion, freedom of election, freedom of communication and so forth. Hong Kong's human rights and freedoms are based on the rule of law and the independence of the judiciary, which Hong Kong has always been recognized by the international communities. Both of them are based on the Basic Law. In view of this, this report will focus on the Basic Law as a framework for discussing the rights and liberties of Hong Kong citizens in different aspects of their protection. It first elaborates the chapter on human rights and interests in the Basic Law, and then analyses the overall changes in the human rights situation in Hong Kong in recent years by drawing on relevant data published by different countries and credible institutions around the world.

Education is the foundation for the cultivation of the people and the promotion of social development, and at the same time has an indispensable role for the implementation of human rights and the proper exercise of human rights⁶. Therefore, the second chapter of this report will provide an in-depth look at the practice of human rights protection in Hong Kong in the field of education. As well as this, we make comparisons with other countries and regions with different perspectives and with a view to understanding the general situation of human rights in Hong Kong and the international level in the field of Education.

Chapter 1 The Constitution of Hong Kong and Human Rights

In 1984, China and the United Kingdom signed the joint declaration of the government of the People's Republic of China and the government of the United Kingdom of Great Britain and Northern Ireland on Hong Kong (the "declaration") in the face of the historical legacy of Hong Kong. It was clear from the statement that the government of the People's Republic of China would resume the exercise of sovereignty over Hong Kong on 1 July 1997 and that, in accordance with Article 31 of the Constitution of the People's Republic of China, Hong Kong would be the "Hong Kong Special Administrative Region of the People's Republic of China", with the principle of "one country, two systems" in its entirety and the Basic Law of the People's Republic of China (hereinafter referred to as the "Basic Law") as the constitutional document.

Section 1: Basic Law and "Human Rights in Hong Kong"

The Central People's government and the government of HKSAR have always attached great importance to "human rights in Hong Kong". In order to implement the Universal Declaration of human rights, which set out the general principles of "human rights", the United

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⁶ See "Education: the essential foundation of human rights". <https://zh.unesco.org/courier/2018-4/jiao-yu-ren-quan-zhi-ben>. last viewed date 2 May 2020

Nations adopted and formally entered into force in 1976 two covenants - the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights - as guarantees of "human rights" for the international communities. Since the entry into force of the convention, it had been applied to Hong Kong during the rule of the British period. Subsequently, in dealing with the question of Hong Kong's identity, the Central People's government and the United Nations agreed that the 1984 Sino-British Joint Declaration provided that "the provisions of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights shall remain in force in Hong Kong. "The People's Republic of China will resume its sovereignty over Hong Kong with effect from 1 July 1997. From that date, Hong Kong will become a special administrative region of the People's Republic of China..... Moreover, according to annex I, Section 11 of the declaration of integrities and Article 153 of the Basic Law, the international agreements of the People's Republic of China which have been applied to Hong Kong may continue to apply. Until 1 July 1997, Hong Kong officially returned to the motherland and promulgated and put into effect the Basic Law, which also clearly stipulates in Article 39: "the relevant provisions of the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and International Labour Conventions which are applicable to Hong Kong shall remain in force and be implemented through the laws of the Hong Kong Special Administrative Region. The rights and freedom enjoyed by Hong Kong residents shall not be restricted unless as prescribed by laws. Such restrictions shall not contravene the provisions of Paragraph 1 of this article. At the same time, the Hong Kong Bill of Rights Ordinance ("the human rights act") localizes the two international covenants and incorporates the rights specified into local laws. Article 4 of Chapter I of the Basic Law clearly states that "the Hong Kong Special Administrative Region shall safeguard the rights and freedoms of all other persons and others in the region". As it can be seen from the text above, in Hong Kong, human rights are fully guaranteed and in line with international standards.

As for the specific scope of "human rights in Hong Kong", it can be found mainly in Chapters 3 and 6 of the Basic Law. According to the "basic rights and obligations of residents" in Chapter 3, a number of the rights of Hong Kong residents are listed, including:

Article 25

All Hong Kong residents shall be equal before the law.

Article 26

Permanent residents of the Hong Kong Special Administrative Region shall have the right to vote and the right to stand for election in accordance with law.

Article 27

Hong Kong residents shall have 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.

Article 28

The freedom of the person of Hong Kong residents shall be inviolable.

No Hong Kong resident shall be subjected to arbitrary or unlawful arrest, detention or imprisonment. Arbitrary or unlawful search of the body of any resident or deprivation or restriction of the freedom of the person shall be prohibited. Torture of any resident or arbitrary or unlawful deprivation of the life of any resident shall be prohibited.

Article 29

The homes and other premises of Hong Kong residents shall be inviolable. Arbitrary or unlawful search of, or intrusion into, a resident's home or other premises shall be prohibited.

Article 30

The freedom and privacy of communication of Hong Kong residents shall be protected by law. No department or individual may, on any grounds, infringe upon the freedom and privacy of communication of residents except that the relevant authorities may inspect communication in accordance with legal procedures to meet the needs of public security or of investigation into criminal offences.

Article 31

Hong Kong residents shall have freedom of movement within the Hong Kong Special Administrative Region and freedom of emigration to other countries and regions. They shall have freedom to travel and to enter or leave the Region. Unless restrained by law, holders of valid travel documents shall be free to leave the Region without special authorization.

Article 32

Hong Kong residents shall have freedom of conscience.

Hong Kong residents shall have freedom of religious belief and freedom to preach and to conduct and participate in religious activities in public.

Article 33

Hong Kong residents shall have freedom of choice of occupation.

Article 34

Hong Kong residents shall have freedom to engage in academic research, literary and artistic creation, and other cultural activities.

Article 35

Hong Kong residents shall have the 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.

Hong Kong residents shall have the right to institute legal proceedings in the courts against

the acts of the executive authorities and their personnel.

Article 36

Hong Kong residents shall have the right to social welfare in accordance with law. The welfare benefits and retirement security of the labour force shall be protected by law.

Article 37

The freedom of marriage of Hong Kong residents and their right to raise a family freely shall be protected by law.

It is clear from the above that Hong Kong residents enjoy numerous basic rights in Hong Kong, and even some rights are guaranteed only in the Basic Law, not in the International Covenant on Civil and Political Rights, such as the freedom of travel as stated in Article 31. Moreover, in addition to some provisions, persons who are not residents of Hong Kong may also enjoy the rights and freedoms of Hong Kong residents under this chapter by virtue of Article 41 of the same chapter: "persons other than Hong Kong residents in the Hong Kong Special Administrative Region shall enjoy by law the rights and freedoms provided for in this chapter."

In Chapter 6, "Education, Science, Culture, Sports, religion, labour and social services", the following statements on human rights are also included:

Article 136

On the basis of the previous educational system, the Government of the Hong Kong Special Administrative Region shall, on its own, formulate policies on the development and improvement of education, including policies regarding the educational system and its administration, the language of instruction, the allocation of funds, the examination system, the system of academic awards and the recognition of educational qualifications. Community organizations and individuals may, in accordance with law, run educational undertakings of various kinds in the Hong Kong Special Administrative Region.

Article 137

Educational institutions of all kinds may retain their autonomy and enjoy academic freedom. They may continue to recruit staff and use teaching materials from outside the Hong Kong Special Administrative Region. Schools run by religious organizations may continue to provide religious education, including courses in religion.

Students shall enjoy freedom of choice of educational institutions and freedom to pursue their education outside the Hong Kong Special Administrative Region.

Article 138

The Government of the Hong Kong Special Administrative Region shall, on its own, formulate policies to develop Western and traditional Chinese medicine and to improve medical and health services. Community organizations and individuals may provide various medical and health services in accordance with law.

Article 139

The Government of the Hong Kong Special Administrative Region shall, on its own, formulate policies on science and technology and protect by law achievements in scientific and technological research, patents, discoveries and inventions.

The Government of the Hong Kong Special Administrative Region shall, on its own, decide on the scientific and technological standards and specifications applicable in Hong Kong.

Article 140

The Government of the Hong Kong Special Administrative Region shall, on its own, formulate policies on culture and protect by law the achievements and the lawful rights and interests of authors in their literary and artistic creation.

Article 141

The Government of the Hong Kong Special Administrative Region shall not restrict the freedom of religious belief, interfere in the internal affairs of religious organizations or restrict religious activities which do not contravene the laws of the Region.

Religious organizations shall, in accordance with law, enjoy the rights to acquire, use, dispose of and inherit property and the right to receive financial assistance. Their previous property rights and interests shall be maintained and protected.

Religious organizations may, according to their previous practice, continue to run seminaries and other schools, hospitals and welfare institutions and to provide other social services.

Religious organizations and believers in the Hong Kong Special Administrative Region may maintain and develop their relations with religious organizations and believers elsewhere.

Article 142

The Government of the Hong Kong Special Administrative Region shall, on the basis of maintaining the previous systems concerning the professions, formulate provisions on its own for assessing the qualifications for practice in the various professions.

Persons with professional qualifications or qualifications for professional practice obtained prior to the establishment of the Hong Kong Special Administrative Region may retain their previous qualifications in accordance with the relevant regulations and codes of practice.

The Government of the Hong Kong Special Administrative Region shall continue to recognize the professions and the professional organizations recognized prior to the establishment of the Region, and these organizations may, on their own, assess and confer professional qualifications.

The Government of the Hong Kong Special Administrative Region may, as required by developments in society and in consultation with the parties concerned, recognize new

professions and professional organizations.

Article 143

The Government of the Hong Kong Special Administrative Region shall, on its own, formulate policies on sports. Non-governmental sports organizations may continue to exist and develop in accordance with law.

Article 144

The Government of the Hong Kong Special Administrative Region shall maintain the policy previously practised in Hong Kong in respect of subventions for non-governmental organizations in fields such as education, medicine and health, culture, art, recreation, sports, social welfare and social work. Staff members previously serving in sub-vented organizations in Hong Kong may remain in their employment in accordance with the previous system.

Article 145

On the basis of the previous social welfare system, the Government of the Hong Kong Special Administrative Region shall, on its own, formulate policies on the development and improvement of this system in the light of the economic conditions and social needs.

Article 146

Voluntary organizations providing social services in the Hong Kong Special Administrative Region may, on their own, decide their forms of service, provided that the law is not contravened.

Article 147

The Hong Kong Special Administrative Region shall on its own formulate laws and policies relating to labour.

Article 148

The relationship between non-governmental organizations in fields such as education, science, technology, culture, art, sports, the professions, medicine and health, labour, social welfare and social work as well as religious organizations in the Hong Kong Special Administrative Region and their counterparts on the mainland shall be based on the principles of non-subordination, non-interference and mutual respect.

Article 149

Non-governmental organizations in fields such as education, science, technology, culture, art, sports, the professions, medicine and health, labour, social welfare and social work as well as religious organizations in the Hong Kong Special Administrative Region may maintain and develop relations with their counterparts in foreign countries and regions and with relevant international organizations. They may, as required, use the name "Hong Kong, China" in the relevant activities.

The above-mentioned "human rights" statement demonstrates the full confidence and support of the Central People's government in the Hong Kong Special Administrative Region (HKSAR) in the "one country, two systems", "Hong Kong people's rule of the HKSAR" and a high degree of autonomy. This will enable the HKSAR Government to ensure that the relevant fundamental rights are firmly rooted in the Hong Kong regime in accordance with the Basic Law. Through the enactment of specific legislation on how to take administrative measures to implement and integrate the spirit of "human rights in Hong Kong" into all aspects of lives as a means to implementing international human rights standards.

As seen from above, "Hong Kong human rights" is a huge "umbrella term", which covers a wide range. Therefore, in the comment or judgment of "Hong Kong human rights" situation, one should not only focus on individual or several human rights situation; one also should not come to arbitrary conclusions and should not be partial, and be negative or be ignorant of the existence and development of "Hong Kong human rights"; rather one should adopt a more open attitude and a more objective perspective as far as possible to examine and understand different aspects, different positions, different opinions, etc. This is also the purpose of this report.

Section 2: Illustrative Examples of "Human Rights in Hong Kong"

"The Universal Declaration of Human Rights" ("Declaration of Human Rights" in brief) of Article 1: "all human beings are born free and equal in dignity and rights. They are endowed with reason and conscience, and should be treated in the spirit of brotherhood. " ⁷One of the most important conceptual indicators of "human rights" is "freedom". This section looks at the human rights situation in Hong Kong from the Human Freedom Index.

According to the Global Human Freedom Index published by the Fraser Institute, a Canadian think tank, Hong Kong was ranked high among 162 countries and regions for three consecutive years in 2017-2019. Second in 2017, third in 2018 and also third in 2019 while ranking second only to New Zealand and Switzerland. Japan in Asia, for three consecutive years, is out of 25; Singapore ranked a little higher, but the highest year was only the world's ranking 18 in 2017.

As for the Europe, the US and Australia, most of the countries are also ranked lower than Hong Kong. Canada in North America and Australia in Oceania are the top non-Asian countries after New Zealand and Switzerland, respectively, for three consecutive years in the first five. It is worth noting that the global index of human freedom is closely related to human rights.

⁷ See the Universal Declaration of human rights. The original view on this site.
https://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/chn.pdf. Last viewed: 2 May 2020

Selected Countries/Regions Ranking	2017	2018	2019
Hong Kong	2	3	3
Japan	27	31	25
Singapore	18	25	30
New Zealand	3	1	1
Switzerland	1	2	2
Canada	11	5	4
USA	17	17	15
UK	9	8	14
Australia	12	4	5

Table 1: Countries/region's ranking of Human Freedom Index ^{8 9 10 11}

"Human Freedom Index" is jointly conducted by the Fisher Institute, the Cato Institute and the Friedrich Naumann Foundation for Freedom in Germany, which analysed 76 indicators of individual freedom, civil liberties and economic liberties such as the rule of law, security, religion, association, assembly and civil society, expression and information, size of government, legal system and property rights, international free trade, commerce, labour.

Table 1 clearly shows that Hong Kong's "Global Human Freedom Index" are at a high level in recent years which is far beyond Europe, America, East Asia and some other countries. It shows that Hong Kong has still comparatively enjoyed more and higher form of freedom than the vast majority of countries or regions in the world.

Take the freedom of religion as an example. In accordance with the provisions of Articles 32, 137 and 141 of the Basic Law, Hong Kong residents have the freedom of religious beliefs, the freedom to preach openly and to participate in religious activities; religious organizations enjoy property protection in accordance with the law, etc., and the right to establish religious schools, other schools, hospitals and welfare institutions, and other social services in accordance with the law. The HKSAR Government also "does not restrict freedom of religious belief, does not interfere in the internal affairs of religious organizations, and does not restrict religious activities which are not in conflict with the laws of the HKSAR". This is the elaboration in the Basic Law, what the actual situation is?

According to the HKSAR Government, about 43% of the population in Hong Kong has their own religions¹² with Buddhism, Taoism and Christianity being the highest, followed by

⁸ Table 1 information from the 2017, 2018, 2019 Global Human Freedom Index report

⁹ See the Global Human Freedom Index 2017. <https://www.fraserinstitute.org/sites/default/files/human-freedom-index-2017.pdf>. Last viewed May 2, 2020

¹⁰ See the Global Human Freedom Index 2018. <https://www.fraserinstitute.org/sites/default/files/human-freedom-index-2018.pdf>. Last viewed date 2 May

¹¹ See the Global Human Freedom Index 2018. <https://www.fraserinstitute.org/sites/default/files/human-freedom-index-2018.pdf>. Last viewed date 2 May 2020

¹² See the religious guide in Hong Kong.

https://partnet.net.hk/tb.com/filemanager/tc/content_510/Hong%20Kong%20Religions%20Tour_tc.pdf. last

Islam, Hinduism, Sikhism and Judaism. According to the Hong Kong annual report published by the census and Statistics Department and provided by the General Association of related religions, the estimated number of people professing the major religions in Hong Kong has also been maintaining stable figures, the fastest growth in the number of followers of Islam and Hinduism:

Religion	2007	2010	2013	2016
1. Buddhism	Less than 1 million	Less than 1 million	About 1 million	About 1 million
2. Taoism	About 1 million	About 1 million	Less than 1 million	Less than 1 million
3. Christianity	660,000	833,000	860,000	884,000
4. Islam	90,000	220,000	300,000	300,000
5. Hinduism	40,000	40,000	40,000	100,000
6. Sikh	10,000	10,000	10,000	12,000
7. Judaism	No estimates	No estimates	No estimates	5,000

Table 2: Number of major religious figures in Hong Kong in recent years¹³

Secondly, in response to different religious beliefs, different religious believers set up different large and small religious groups, including the Hong Kong Sheng Kung Hui, the Catholic Diocese of Hong Kong, the Hong Kong Christian Council, the Hong Kong Chinese Muslim Cultural and Fraternity Association, the Hong Kong Buddhist Association, the Hong Kong Taoist Association, Hong Kong Confucius Institute, the Church of Jesus Christ of Latter-day Saints, the Global Missiology, etc. In addition to promoting the teachings, many religious groups also set up schools and provide facilities for health and welfare. As for running schools, Catholic and Christian schools are the majority. According to information registered by the Education Bureau of Hong Kong, schools operated by religious background groups were distributed as follows:

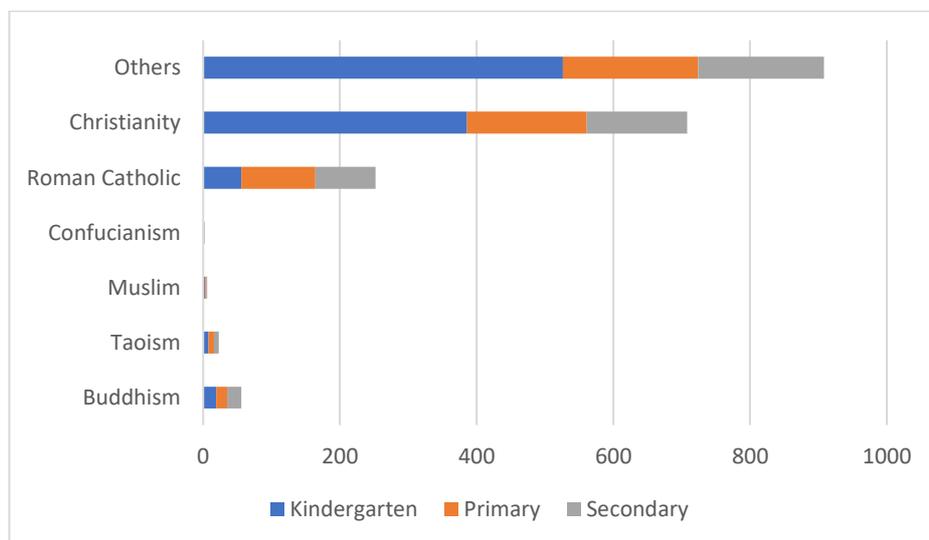


Table 3: Distribution of schools by religious background groups in 2017¹⁴

viewed date 2 May 2020

¹³ See "Legislative Council: religious facilities in Hong Kong" for information on 2017-18.

https://www.legco.gov.hk/research-publications/chinese/fact-sheet_1620.htm. Last viewed date 2 May 2020

¹⁴ See "01 Encyclopedia: Comparison of Hong Kong religious forces". The original view on this site.

In addition to opening schools, the above-mentioned sponsoring organizations with a religious background may also enjoy the freedom to provide religious education in accordance with their religious traditions, including the development of educational philosophies and curricula that are in accordance with their religious beliefs. On the other hand, students are free to choose or not to choose religious beliefs, which will be supplemented in the next section on education.

In conclusion, the above example shows that believers of different religions in Hong Kong have developed into different religious groups under the right to freedom of religion under the basic law. because of the affirmation of freedom of religion under the Basic Law, different religions can coexist peacefully and maintain stable development. Freedom of religion is an indispensable part of the concept of human rights.

As previously stated, Hong Kong accommodates different religions, races, cultures, etc. it is a pluralistic society. A fair and pluralistic society is another important indicator of the visibility of human rights examination. The concrete implementation of the HKSAR anti-discrimination regime will be described below. In response to Article 26 of the International Covenant on Civil and Political Rights, which states that "all persons are equal before the law and have the right to equal protection of the law without any discrimination", Article 25 of the basic law guarantees the equality of Hong Kong residents before the law and the government of the Hong Kong Special Administrative Region.

There are currently four anti-discrimination ordinances in force in Hong Kong, and an independent statutory body, the Equal Opportunities Commission ("EOC"), has been established under the Sex Discrimination Ordinance (Cap 480) and is responsible for enforcing the following four ordinances¹⁵,

1. Sex Discrimination Ordinance (Cap 480): An Ordinance to render unlawful certain kinds of sex discrimination, discrimination on the ground of marital status or pregnancy, and sexual harassment¹⁶; to provide for the establishment of a Commission with the functions of working towards the elimination of such discrimination and harassment and promoting equality of opportunity between men and women generally; and to provide for matters incidental thereto or connected therewith.

https://www.hk01.com/特首选举/2017/72626/剖析宗教界-01_百科-香港宗教势力比拼 .Last viewed May 2, 2020

¹⁵ See "Equal Opportunities Ordinances". The original view on this site.

<https://www.eoc.org.hk/eoc/graphicsfolder/showcontent.aspx?content=our%20work-eo%20works>. Last viewed May 2, 2020

¹⁶ The Gender Discrimination Ordinance (Cap. 480) provides for activities in the areas of employment, education, provision of goods, services and/or facilities, disposal and/or management of premises, voting qualifications of advisory bodies and activities of elected or appointed members of such bodies, societies and government.

2. Disability Discrimination Ordinance (Cap. 487): It is an offence to discriminate on the basis of a person's disability in the prescribed activity¹⁷;

The ordinance also ensures that any disabled person with a disability is protected against discrimination, or against persons who need to be accompanied by interpreters, readers, assistants or carers who are needy of services on account of a disability. Harassment based on disability, victimization and maltreatment is unlawful within the prescribed scope of activities.

3. Family Status Discrimination Ordinance (Cap. 527): Any person who, on the basis of one's family position ("Family position" means a person who is responsible for the care of an immediate family member). An "immediate family member" is a person who has a blood relationship, marriage, adoption or affinity with another person, constitutes discrimination is a violation in law¹⁸;

4. Racial discrimination ordinance (Cap. 602): to ensure that any person is protected against discrimination, harassment and vilification on the basis of his / her race. "Race" means the race, colour, descent, national or ethnic origin of the person. Under the race discrimination ordinance, it is an offence for any person to discriminate, harass, or injure a person on the basis of his or her race in the prescribed activity¹⁹;

The ordinance also ensures that close relatives based on race are not discriminated against. "Next of kin" includes (but is not limited to) any person's spouse, parents, children, siblings, grandparents, grandchildren, granddaughters or granddaughters.

The ordinance gives effect to the principle of non-discrimination against persons of a certain status in Hong Kong law, and provides a legal framework to protect individuals from discrimination on any grounds such as sex, race, etc., the loss of the right to be respected and the loss of the right to equality, including the freedoms set forth in the Basic Law.

In terms of the race discrimination ordinance. According to the latest report of the Census and Statistics Department of the HKSAR Government, with the increasing number of Filipino and Indonesian workers coming to Hong Kong to work as foreign domestic helpers, coupled with the migration of many South Asians and whites to Hong Kong, the proportion of ethnic minorities in Hong Kong as a whole rose from 5.0% in 2006 to 8.0% in 2016²⁰. The racial discrimination ordinance provides legal guarantees for equal opportunities and treatment

¹⁷ The Disability Discrimination Ordinance (Cap. 487) provides for the following activities: employment, education, provision of goods, services and / or facilities, access to premises, disposal and/or management of premises, social and sports activities, government activities.

¹⁸ The Family Status Discrimination Ordinance (Cap. 527) provides for activities in the areas of employment, education, provision of goods, services and / or facilities, disposal and/or management of premises, voting qualifications of advisory bodies and activities of election or appointment to such bodies, societies and government.

¹⁹ The racial discrimination ordinance (cap. 602) provides for activities in the areas of employment, education, provision of goods, facilities and / or services, disposal and/or management of premises, eligibility for election and voting by public bodies, and social activities.

²⁰ See "Legislative Council: religious facilities in Hong Kong" for information on 2017-18.

https://www.legco.gov.hk/research-publications/chinese/fact-sheet_1620.htm. last viewed date 2 May 2020

of ethnic minorities and ethnic Chinese, so that they, as members of Hong Kong, have the same freedom and right to choose education, work, participate in social activities, etc., and are guaranteed by the Basic Law. It also promotes support for ethnic minorities in different sectors of society, such as policies for non-Chinese students in education and the implementation of the "second language learning framework for the Chinese language courses"(learning framework) to improve the "learning framework", etc. The process of promoting the development of the human rights of ethnic minorities in Hong Kong has made "Hong Kong human rights" more comprehensive and stable.

In the above statement, it is only an example of the implementation of "Hong Kong human rights", but it is certain that both the government of Central People, the Hong Kong SAR government and every Hong Kong citizen has a consensus to uphold the "Hong Kong human rights", and cherish and attach importance to its development. In light of the data and the actual situation, it is clear that "Hong Kong Human Rights" is not as bad as some biased voices mentioned. Even in some areas which are much better than Asia and Europe as well as the United States. Take for an example, it has remarkably prominent in the realm of education. We take much pride as educators. In the next section, the focus will be on an in-depth exploration of "Human rights in Hong Kong" which is in the context of educational development in SAR.

Chapter 2: Discussion on "Human Rights in Hong Kong" from the Education Development in the HKSAR

Education is the cornerstone of children's development. it is particularly important for the development of individuals, society and the country.

Under the basic law, there are many provisions relating to the right to education, which guarantee the development of the rights and interests of the people of the HKSAR in all aspects of education. It can be said that the practice of human rights protection has achieved remarkable results. In addition to the Basic Law, Human Rights in Hong Kong are also protected by a number of international conventions, such as the Universal Declaration of human rights mentioned above. The Universal Declaration of human rights is the first document in history that expresses the fundamental rights of all human beings throughout the world and that upholds them. it is an important milestone in the history of human rights. It was drafted by representatives of different legal and cultural backgrounds from all regions of the world and was adopted by the resolution of 217 A(III) at the General Assembly meeting held in Paris on 10 December 1948. The Universal Declaration of human rights, as a common achievement of all nations and peoples, provides for the first time that fundamental human rights should be universally protected. The Universal Declaration of human rights has been translated into nearly 500 languages to date.

The right to education and the purpose of education are clearly set out in Article 26 of the “Universal Declaration of human rights”²¹:

1. Everyone has the right to education, and education should be free, at least at the primary and basic stages. Primary education should be compulsory. Technical and vocational education should be established in common. Higher education should be open to all on the basis of merits in academic excellence.
2. Education is aimed at the full development of the human personality and at strengthening respect for Human Rights and fundamental freedoms. Education shall promote understanding, tolerance and friendship among nations, racial or religious groups, and shall promote the activities of the United Nations in the maintenance of peace.
3. Parents have the right to give preference to the kind of education to which their children are entitled.

In addition, the “Convention on the rights of the child”²² was officially adopted by the United Nations in 1989. Hong Kong Special Administrative Region (HKSAR) is one of the 196 signatory countries and is the first international treaty to guarantee the basic human rights of children. It states in Articles 28 and 29 which are related to children's rights in education:

Article 28

1. States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:

- (a) Make primary education compulsory and available free to all;
- (b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;
- (c) Make higher education accessible to all on the basis of capacity by every appropriate means;
- (d) Make educational and vocational information and guidance available and accessible to all children;
- (e) Take measures to encourage regular attendance at schools and the reduction of drop-out rates.

2. States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention.

²¹ See the Universal Declaration of human rights.

http://www.scu.edu.tw/hr/document_imgs/documents/d1.pdf. last viewed date 2 May 2020

²² The United Nations International Convention on the rights of the children was formally adopted at United Nations headquarters in New York on 20 November 1989. There are currently 196 countries. The United States has not yet ratified the convention as a signatory to the convention. See the relevant United Nations website for the content of the convention.

[https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11 & chapter=4 & lang=en#6](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11&chapter=4&lang=en#6). Last viewed on May 2, 2020.

3. States Parties shall promote and encourage international cooperation in matters relating to education, in particular with a view to contributing to the elimination of ignorance and illiteracy throughout the world and facilitating access to scientific and technical knowledge and modern teaching methods. In this regard, particular account shall be taken of the needs of developing countries.

Article 29

1. States Parties agree that the education of the child shall be directed to:

- (a) The development of the child's personality, talents and mental and physical abilities to their fullest potential;
- (b) The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;
- (c) The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;
- (d) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;
- (e) The development of respect for the natural environment.

2. No part of the present article or article 28 shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principle set forth in paragraph 1 of the present article and to the requirements that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.

The rights identified in the above articles include the right to education and the right to choose, and it is stated that education should be developed in all its aspects and with the principles of enhancing awareness and respecting for human rights and freedom, cultural identity, national values and the respect for the civilization of our country. Based on these guidelines, this report provides a detailed analysis of how educational policies in Hong Kong can protect the interests of the public especially the educational rights of children.

Section 1: Right to Education

Since 1987, the HKSAR Government had been providing nine years of free universal primary education to the people of Hong Kong, from Primary 1 to Primary 6, Secondary 1 to secondary 3, through public primary and secondary schools, including government, aided and Caput schools. Since 2008, the government has extended free education from secondary 3 to

secondary 6 for a total of 12 years²³. Compared with most other countries and regions, the HKSAR Government provides more free education opportunities for residents. Table 3 provides the World Bank (World Bank) statistics on the compulsory education system provided by governments in 2018:

	Years of Free Education
France	15
Australia	14
The Netherlands	14
Canada	13
Finland	13
Germany	13
Norway	10
Italy	8
South Korea	12
Malaysia	11
Japan	9
China (Major Areas)	9
India	8
Vietnam	6

Table 4: Years of free education in countries or regions²⁴

Table 4 shows that the years of free education provided by the HKSAR Government is higher in the countries or regions participating in the survey. The period of free education extends to 12 years, meaning that children can receive compulsory education from the very beginning of their childhood and from the two years leading up to their high school years. This is very important for the underprivileged. It also demonstrates the fairness of education, which reflects the government's strong focus on the right of the residents to receive basic education.

Upon completion of the primary and secondary levels, students in the HKSAR may enrol in higher education courses in accordance with their abilities and interests. There are currently 22 degree-conferring tertiary institutions in Hong Kong, including 9 publicly-funded institutions and 13 self-funded institutions, offering programmes ranging from associate degrees to doctorate levels. In the 2018/19 academic year, the total enrolment (including undergraduate and associate degree programmes) of the tertiary institutions in Hong Kong is 53,700 which are excluding non-local students. It is estimated that the tertiary educational institutions in Hong Kong can provide more than 50,000 students²⁵ with undergraduate or associate degree programmes. Apart from local courses, there are also 1,107 non-local courses offered by other local institutions in the HKSAR. In the 2017/18 academic year, the HKDSE

²³ See "Legislative Council Question 5: Free education for 15 years".

<https://www.info.gov.hk/gia/general/201012/01/P201012010205.htm>

²⁴ See "the World Bank: Compulsory education, duration (years)". The original view on this website.

<https://data.worldbank.org/indicator/SE.COM.DURS?view=chart>. last viewed date 2 May 2020

²⁵ See the key statistics of post-secondary education.

https://www.cspe.edu.hk/resources/pdf/tc/postsec_keystat.pdf. last viewed date 2 May 2020

had 59,000 applicants²⁶, compared with 38,642 candidates who attained the minimum admission requirement for admission to higher education programmes. It is clear that the HKSAR Government offers a wide range of tertiary education programmes to the public. At present, a vast majority of higher education institutions offer the opportunity for about half of the population of appropriate age to pursue a bachelor's degree. More than 70% of young people have access to higher education if the associate degree is included. When compared to other countries in the world, a very high ratio of 70% of young people are enrolled in the institutions of higher learning²⁷. According to the 2017 OECD survey, the proportion of young people in member countries who were 20 years old (the age of the first or second year of tertiary education) enrolled in post-secondary education courses was 42%, which is much lower than the 70% rate of young people enrolled in tertiary education in the Hong Kong SAR²⁸. It has been applauding that the HKSAR Government has achieved excellent results in higher education and that young people in Hong Kong have better access to quality education.

In terms of technical and vocational education, the vocational training Council (VTC), established in 1982 by the Hong Kong Government, which is the largest vocational education institution in Hong Kong, offers pre-service and in-service training for over 200,000 trainees each year²⁹. In addition, at least 60% of the 160 Higher Diploma programmes offered by tertiary institutions are specific subjects, vocational education or vocational skills, which provide Hong Kong residents with a free alternative to the mainstream education.

Section 2: The Right to Equality in Education

Apart from providing the public with the right to receive education, the HKSAR Government has also demonstrated excellence in ensuring equal education for both sexes.

According to the Hong Kong Census and Statistics Department, in 2018, nearly 80% of the female population aged 15 or above in Hong Kong had secondary education, while 85% of the male population had secondary education. Although the above figures show that men have a higher level of education than women. The main cause of the difference was that older women have lower access to education at a young age. In 1986, the male population with secondary or higher education more than doubled the female population with the same education. With the introduction of free and Universal Basic Education, the gap in educational attainment between both sexes has become more equal and has narrowed over the last 30

²⁶ See "Statistics on the Hong Kong Diploma of Secondary Education Examination 2018". http://www.hkeaa.edu.hk/DocLibrary/HKDSE/Exam_Report/Examination_Statistics/dseexamstat19_1.pdf. last viewed date 2 May 2020

²⁷ See "Study in Hong Kong: the education system in Hong Kong". <https://www.studyinhongkong.edu.hk/hk/hong-kong-education/education-system.php>. last viewed date 2 May 2020

²⁸ See "Education at A Glance (2017)". The original view on this site. <https://www.oecd-ilibrary.org/docserver/eag-2017-en.pdf?expires=1587710557&id=id&accname=guest&checksum=38FC0AEE6A1366C82F5E319518C5C2AC>. last viewed date 2 May 2020

²⁹ See "Vocational Training Council: About VTC". https://www.vtc.edu.hk/html/tc/about/corp_info.html. last viewed date 2 May 2020

years³⁰. Table 5 summarizes the World Bank data on the number of men and women aged 25 and above with secondary and higher education:

	Year	Female population with Secondary and Higher Education (%) A	Male population with Secondary and Higher Education (%) B	Difference in Percentage between female & male (A-B)
Australia	2018	93.4	93.5	- 0.1
Germany	2018	96.1	96.6	- 0.5
Belgium	2016	82.6	87.1	- 4.5
France	2017	81.9	86.8	- 4.9
Hong Kong	2018	76.6	82.9	- 6.3
Italy	2015	74.3	83	- 8.7
Malaysia	2016	72.2	76.1	- 3.9
South Korea	2015	80.3	91.3	- 11.0
Singapore	2018	78.1	85.1	- 7.0
China	2010	58.7	71.9	- 13.2
India	2011	27.7	47.1	- 19.4

Table 5: Sex population in countries or regions with secondary and higher education³¹³²

Table V lists gender-specific demographic data from the World Bank, for some countries or regions over 25 years of age with secondary and higher education in recent years. Hong Kong has a secondary-school female population of 76.6% over the age of 25. It is second only to South Korea in the listed Asian countries, and is close to Singapore, but higher than the rest of the Asian countries. In terms of the gender-specific percentage difference, Hong Kong's female surnames are about 6 per cent lower than that of men. This difference is similar to the difference between most European countries in the proportion of people with secondary and higher education, which is about 4% to 8%, and significantly better than the other Asian countries in the table, representing a more equal status for women in terms of access to education.

Section 3: The Right to Choose

The HKSAR Government has also given citizens a high degree of freedom in the choice of the education sector. In the HKSAR, Basic Education does not include early childhood education (meaning education for children under the age of six). Parents have the right to choose whether or not to allow their children to enter kindergartens (under the jurisdiction of the Education Bureau of the HKSAR) or child care homes (under the jurisdiction of the Social

³⁰ See "key statistics of women and men in Hong Kong".

<https://www.statistics.gov.hk/pub/B11303032019AN19B0100.pdf>. last viewed date 2 May 2020

³¹See " the World Bank: Educational attainment, at least completed lower secondary, population 25+, male (%) (cumulative)". the data in this table are of reference value, although from different years. the original source is available on this website. <https://data.worldbank.org/indicator/SE.SEC.CUAT.LO.MA.ZS>. last viewed date 2 May 2020

³² See " the World Bank: Educational attainment, at least completed lower secondary, population 25+, female (%) (cumulative)". the data in this table are of reference value, although from different years. see the original text on this website. <https://data.worldbank.org/indicator/SE.SEC.CUAT.LO.FE.ZS>. last viewed date 2 May 2020

Welfare Office of the HKSAR);³³ Early childhood education is entirely private and is run by voluntary groups or private individuals.

Primary and secondary schools are divided into four categories: government-run public schools, non-profit learning groups receiving government grants to provide free education to subsidize schools, the number of students receiving government subsidies to subsidize direct-funded schools and self-owned schools run by school-run groups³⁴. In all primary and secondary schools in Hong Kong, schools run by the school-run groups accounted for more than 90%³⁵. These are mainly for religious groups, charitable organizations, community councils, business groups, etc. schools run by different school groups have different backgrounds and characteristics, including religious groups run mainstream schools in Hong Kong. As noted in the first chapter of this report, under the protection of the Basic Law, Hong Kong people enjoy a high degree of freedom of religion. As a result, various religious organizations have opened schools in Hong Kong, resulting in the proliferation of schools with different religious backgrounds. In addition to Catholicism, Christianity, Buddhism and other more popular religions in Hong Kong, there are more Taoism, Islam, Confucianism and other religious schools. Families with a religious affiliation can choose schools that suit their individual beliefs, while families without a religious affiliation are free to choose schools of any religious affiliation.

It is worth noting that children enrolled in schools with a religious background do not have to be followers of the religion. Students in the HKSAR have the absolute right to choose whether or not to profess a religion or to profess a religion. The Education Bureau of the HKSAR also does not allow all public schools and HKSAR Government-subsidised schools to preach in schools, and religious education is not part of the central curriculum³⁶.

In addition to having the freedom to choose between different religious backgrounds, parents can also enrol their children in schools in different languages of instruction according to their abilities and interests. in Hong Kong, the mainstream teaching languages are Chinese and English. In addition, Hong Kong schools are divided into three categories by gender: Boys',

³³ Compulsory education in Hong Kong covers six years of Primary School and three years of Junior Secondary School. there is no mandatory requirement for pre-primary education. please refer to the "nine years of compulsory education review". <https://www.edb.gov.hk/tc/about-edb/publications-stat/major-reports/consultancy-reports/9-year-compulsory-edu-review-report/ch3.html>. last viewed date 2 May 2020

³⁴ The "primary school profiles" is a website run by the committee on parent-school co-operation (a committee appointed by the Permanent Secretary for Education), which has compiled basic information on primary schools in Hong Kong each year for public reference. the original version is available at https://www.chsc.hk/psp2019/index.php?lang_id=2. final date: 2 May 2020

³⁵ The "secondary school profile" website, launched by the committee on parent-school co-operation (a committee appointed by the Permanent Secretary for Education), has compiled basic information on all secondary schools in Hong Kong each year for public reference. The original version is available at <https://www.edb.gov.hk/tc/curriculum-development/cs-curriculum-doc-report/8-key-area/index.html>. Final date: 2 May 20

³⁶ The curriculum of primary and secondary schools in Hong Kong is divided into eight fields of study: Chinese language education, English Language Education, Mathematics Education, Science Education, Science and technology education, personal, social and people's education, arts education and Sports. see "subjects in the eight fields of study". <https://www.edb.gov.hk/tc/curriculum-development/cs-curriculum-doc-report/8-key-area/index.html>. Last viewed date 2 May 2020

Girls and Co-ed'. Families can choose different types of schools for their children according to their own wishes. To cater for the needs of different students, there are 60 special schools in Hong Kong, including visually impaired, hearing impaired, physically handicapped, moderately mentally retarded, moderately mentally retarded, moderately mentally retarded and severely mentally retarded which include 8 schools for Social Development (SSD) and a hospital school³⁷. In order to create a more equal and harmonious social environment, the HKSAR Government has introduced the model of "whole school participation" of integrated education since 1997. It aims to promote diversity among students on campus, and to encourage teachers and students to respect individual differences and create an inclusive learning environment. Special education in Hong Kong is now implemented on the basis of a "dual-track" model. Upon assessment and parental consent, students with more serious or with multiple disabilities are referred to suitable special schools while other students with special educational needs are enrolled in a regular school³⁸. By providing equal access to education for students with special learning needs, at the same time to promote respect and appreciation of individual differences by other students.

Local study in Hong Kong is one of the choices, and overseas study is another trend. Under the protection of Article 137 of the Basic Law, Hong Kong people can enjoy the freedom to study outside Hong Kong. The education policy promulgated by the HKSAR Government provides a diverse environment for students studying in Hong Kong to learn in their ideal campuses.

Section 4: Personality and Human Rights Education

In recent years, the Education Bureau of Hong Kong (EDB) has been committed to promoting life-wide learning in the curriculum development which aims to help students achieve their goals of whole-person development while taking care of the growth and development of each and every student's complete personality. In the curriculum development of primary and secondary schools, developed by the Education Bureau, the seven learning objectives and four key programmes have been identified as the main objectives of the primary school curriculum to enhance students' ability to learn in bi-lingual and tri-literacy and self-directed learning while developing their pluralistic potential, and establish healthy lifestyles. The secondary curriculum has been further extended to the areas of national identity, the application of Information Technology and the Career Development and Planning. In addition, moral education, citizenship and national education is one of the four key programmes. Through the curriculum and other learning activities, students are nurtured with positive values and attitudes, enabling them to identify the values involved and to make objective analyses, sound judgments and correct behaviours when encountering difficulties³⁹. Apart from

³⁷ See "Education Bureau: list of special schools". <https://www.edb.gov.hk/tc/edu-system/special/support-subsidy/special-school/school-list.html>. Last viewed date 2 May 2020

³⁸ See the guide to the operation of integrated education in the whole school participation model. https://www.edb.gov.hk/attachment/tc/edu-system/special/support/wsa/ie%20guide%20_ch.pdf. Last viewed date 2 May 2020

³⁹ See "Education Bureau: moral education, citizenship and National Education". <https://www.edb.gov.hk/tc/curriculum-development/4-key-tasks/moral-civic/index.html>. Last viewed date 2

educating students on civic awareness and value education, the HKSAR Government has also taken note of the need to enhance students' awareness of human rights education and to incorporate elements of moral education, civic and National Education.

The Hong Kong New Senior Secondary (NSS) Academic Structure was introduced comprehensively in September 2009 with the addition of Liberal Studies Education in the core subjects. The curriculum is divided into six modules, which guide students to analyse and think about different issues, build positive values and attitudes, and cover human rights-related issues such as respect, equality and the spirit of the rule of law, etc⁴⁰. Therefore, students can learn about human rights through regular courses.

While classroom learning is important, knowledge is not only accessible through textbooks, especially when it comes to more abstract concepts such as values. In recent years, the Education Bureau has repeatedly pointed out the importance of Life Wide Learning (LWL). Omni-learning emphasizes the need for students to learn in real situations and environments, so that students can more effectively master some difficult learning goals and cultivate lifelong learning abilities. In order to encourage and support schools to organise more non-classroom learning activities, the 2018 policy address recommends that when starting from the 2019/20 academic year, the regular "all-round learning allowance" would be distributed to public schools to organize more non-classroom experience activities for students with a view to creating more vivid and rich learning experiences for students, and enhancing learning motivation. There are two types of school-based and class-based allowances: the former is \$ 150,000 per school, while the latter is allocated according to the number of classes per school to meet the needs of different schools⁴¹. There are a wide range of activities, including in-and-out-of-home study tours, visits, in-school extracurricular activities, interest classes and workshops, social services, etc. As mentioned in Section 3, one of the objectives of the HKSAR Government to promote inclusive education is to enable children with special educational needs to have the opportunity to study with mainstream students so as to enhance their adaptability to the society. At the same time, mainstream students can learn about people with different needs, learn to accept and respect, and build equal and positive values.

In addition to the learning activities, there are also a variety of extra-curricular activities in the school. There are more than 10 uniformed groups, such as the Hong Kong St. John Ambulance Brigade Youth League, the Hong Kong Red Cross, the Junior Police Call and the Hong Kong Scout Association.

The above-mentioned report provides a detailed analysis of the Hong Kong SAR residents' right to receive education, the right to equality in education and the right to choose an education, etc. It shows that the Hong Kong SAR government's work on the rights and interests in education should be well recognized. In guiding the whole-person development of

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⁴⁰ See "Education Bureau: Moral, Civic and National Education". <https://www.edb.gov.hk/tc/curriculum-development/4-key-tasks/moral-civic/index.html>. Last viewed date 2 May 2020

⁴¹ See "Education Bureau School Circular No. 16 / 2019".

<https://applications.edb.gov.hk/circular/upload/EDBC/EDBC19016C.pdf>. Last viewed date 2 May 2020

students, under the environment of academic freedom in Hong Kong, schools can use the assistance and subsidies provided by the government to set up and organize different types of extracurricular learning activities according to the characteristics and needs of their students, so as to allow them to develop their talents and personal interests and to provide quality education for Hong Kong residents.

Summary

Based on the above discussion, this report has the following observations on the "Hong Kong Human Rights":

First of all, the Basic Law is a constitutional document of the HKSAR which clearly sets out the safeguards for the freedoms and rights enjoyed by the people of Hong Kong. It covers a wide range of subjects (mainly contained in chapters III and VI), and implements international conventions precisely in an effort to achieve common standards.

Second, the concept of "human rights" is very complex which is not a single concept and cannot be simplified. Therefore, in commenting on or judging the situation of "human rights in Hong Kong", we should not limit ourselves to arbitrary conclusions based on individual or several aspects. According to this report, Hong Kong's performance in various human rights indicators and data is not inferior to other economic systems, especially in education, comparable to other countries or regions. Hong Kong, as a scanty area of only 1,106 square kilometres and a population of approximately 7.45 million, can gain an international foothold. As an educator and a member of Hong Kong, I feel blessed and take much pride in it.

On the other hand, it should be emphasized that, regardless of the enjoyment and exercise of individual rights or the concern for human rights, it is also necessary to understand that not all guaranteed rights are absolute and that people are in groups. Therefore, the exercise of individual rights must be subject to certain restrictions, be inclusive in the exercise of the rights of others, and be compatible with the legitimate needs of the society so as to safeguard national security, public order and order, public health and morals. It is also recognized in the preamble to the International Covenant on civil and political rights that an individual has an obligation to other individuals and to the society to which he belongs. Article 42 of Chapter III of the basic law, entitled "fundamental rights and duties of the population", it clearly states: "Hong Kong residents and other persons in Hong Kong have a duty to comply with the laws in force in the Hong Kong Special Administrative Region". In exploration of "Hong Kong's human rights", it needs to be faced squarely.

Since its founding in 1994, the Education Council has been dedicated to building on Hong Kong's education tradition, insisting on a student-centred philosophy, nurturing students and focusing on the next generation. In recent years, some people have not been able to distinguish between their own events or prejudices, which have affected many people, especially the younger generation. We sincerely hope that, whether it is to discuss the issue of

"human rights in Hong Kong" or other aspects, please remember: the speaker, think twice before speaking, the listener, think twice before believing. Adopting a more open attitude and a more objective perspective to examine and understand different aspects, different positions, different opinions, etc., also set the right example for the next generation.

This report is for the information of the United Nations. Of course, more specific examples of "human rights in Hong Kong" should also be based on the human rights reports submitted by the HKSAR Government to the United Nations over the years, as well as the views of different stakeholders.

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