

Joint Statement: Pandemic is not an excuse to stop civic participation in voicing out for children's rights in the LegCo public hearings

We are a group of organizations who are deeply concerned about the rights of children in Hong Kong and we would try our best to reflect our views on the implementation of the Convention on the Rights of the Child (CRC) in Hong Kong in the reporting process.

We are very disappointed to learn that the LegCo Panel on Constitutional Affairs had declined to convene a public hearing session on 'An outline of the topics for the Third Report of the Hong Kong Special Administrative Region under the Convention on the Rights of the Child' on 15 March 2021', citing COVID-19. This is the first time that the Panel's deliberations on this matter have been closed to the public. The Legislative Council have previously welcomed and celebrated the public's participation in previous sessions related to the First and Second Reports. The Legislative Council had passed a motion on 13 January 2021 to enable meetings to be held remotely by videoconferencing, we do not see the reasons why the public hearing session could not be held online in parallel to hear the views of the civil society that works directly for and with children.

The State Report is an important instrument to inform society at large and the UN Committee on the Rights of the Child about the current status of child rights and the CRC's implementation in Hong Kong. It is a valuable opportunity for collaboration between Government and civil society to improve the welfare of children in Hong Kong. The UN Committee in its CRC specific guidelines regarding the preparation of periodic reports of State parties also states the importance of engaging the civil society: *"Cooperation with civil society organizations, including non-governmental organizations and children's and youth groups, and the extent to which they are involved in the planning and monitoring of the implementation of the Convention and the Optional Protocols."*

The United Nations Office of the High Commissioner for Human Rights (OHCHR) clearly states that governments cannot undercut human rights protections in the name of COVID-19 responses. The OHCHR specifically notes that governments should ensure existing channels of civic participation are maintained when shifting to remote meetings and videoconferencing in the COVID-19 context¹.

We need the assurance of the LegCo panel that the civil society including children and youth could take part in all the stages of the CRC reporting process through the Legislative Council platform as before (i.e. public hearing on the Outline of Topics, public hearing on the HKSAR Report, public hearing on the UN Concluding Observations). Proper arrangement should be made to facilitate civil society's participation in public hearings.

¹ OHCHR, "Civic Space and Covid-19: Guidance" (4 May 2020)
<https://www.ohchr.org/Documents/Issues/CivicSpace/CivicSpaceandCovid.pdf>

Co-signing organizations:

1. Against Child Abuse
2. Children's Rights Association
3. Chosen Power (People First Hong Kong)
4. Hong Kong Christian Service (Child & Family Service Cluster)
5. Hong Kong Committee on Children's Rights
6. Hong Kong Federation of Women's Centres
7. Hong Kong Professional Teachers' Union
8. Hong Kong Unison Limited
9. Kids' Dream
10. PathFinders Limited
11. Playright Children's Play Association
12. Society for Community Organization
13. The Association of Parents of the Severely Mentally Handicapped
14. The Hong Kong Society for Asylum-seekers and refugees

12 March 2021