

103. With regard to employee rights and benefits, the Legislative Council passed a bill in May 2018 empowering the Labour Tribunal to order, without first obtaining the consent of employers, the reinstatement or re-employment of employees who have been unreasonably and illegally dismissed. The government of the Hong Kong SAR will also enact legislation to increase the number of days of statutory paternity leave from the current three days to five, and has begun a review process to improve statutory maternity leave. Foreign domestic helpers enjoy the same employment rights and protections as local employees under labour laws. The government of the Hong Kong SAR will not tolerate any acts of maltreatment or exploitation of foreign domestic helpers by employers or employment agencies. Another new law, which came into effect in February 2018, substantially increased the maximum penalty for the crimes of overcharging on commissions and conducting unlicensed business by employment agencies, thereby providing better protection for jobseekers, including foreign domestic helpers. In March 2018, a high-level inter-bureau/departmental steering committee chaired by the Chief Secretary for Administration promulgated the Action Plan to Tackle Trafficking in Persons and to Enhance Protection of Foreign Domestic Helpers to guide the work of the government of the Hong Kong SAR in this regard.

104. The government of the Hong Kong SAR is committed to providing a safe, reliable, humane, suitable and healthy custody environment for prisoners, and to assisting them in their rehabilitation and reintegration into society. In order to enhance the independence and transparency of the complaint handling mechanism, the Correctional Services Department set up the Complaints Appeal Board in 2016 to provide appeal channels for complainants who feel aggrieved.

105. The government of the Hong Kong SAR continues to respect the right of citizens to peaceful assembly and procession. Between 2012 and 2017, more than 50,000 public meetings and demonstrations were held in Hong Kong, most of which were conducted in a peaceful and orderly manner in accordance with the law.

106. The citizens of Hong Kong continue to enjoy freedom of expression and freedom of the press. The government of the Hong Kong SAR has continuously created an appropriate environment in which the press can flourish freely, and will not interfere in the internal operations of the media. In 2017, a new arrangement was introduced to allow access to government-sponsored press conferences and media events for representatives of qualified Internet-only media.

107. Improving people's livelihoods, meeting the needs of the public and building a liveable city are the major challenges facing the Hong Kong SAR. The Region will be prepared to seize the opportunities presented by two major national policies: the Belt and Road Initiative and the development of the "Guangdong–Hong Kong–Macao Greater Bay Area". The development of innovative technology will also help foster new industries and create excellent job opportunities for young people.

VI. Promotion and protection of human rights in the Macao Special Administrative Region

A. Methodology and consultation process

108. The present report has been compiled on the basis of information provided by relevant departments and entities of the Macao Special Administrative Region (Macao SAR) and through online public consultation. The Macao SAR makes the reports on its implementation of human rights conventions, and the reports submitted to the Human Rights Council, broadly available through the government's portal website and the website of the Legal Affairs Bureau.

B. Legislative and institutional framework for the promotion and protection of human rights

109. The political status and institutional framework of the Macao SAR have been elaborated upon in detail in core Chinese documents and previous reports. The Macao SAR exercises a high degree of autonomy and enjoys executive, legislative, independent judicial and final-adjudication powers, while the Central People's Government of China is responsible for the management of defence and foreign affairs relating to the Macao SAR. At the same time, the government of the Macao SAR, with the authorization of the Central People's Government, may handle relevant foreign affairs on its own in accordance with article 13, paragraph 3, of the Basic Law of the Macao SAR.

110. At the constitutional level, the legal framework for human rights in the Macao SAR is capped by the Basic Law at the top of the legal hierarchy, and entails the application of the related treaties (the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child, the Convention on the Rights of Persons with Disabilities, and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment), as well as the protections provided under the general law. The protection of the rights and freedoms of Macao SAR residents is one of the universal principles enshrined in the Basic Law (articles 4 and 11), and is further stipulated in the general law.

111. The legal system of the Macao SAR guarantees that all persons within or subject to its jurisdiction are equal before the law and may not be discriminated against for any reason. This principle derives from different legal sources and is enshrined in articles 25 and 43 of the Basic Law, as well as at various other normative levels. The core fundamental rights and freedoms enjoyed by local and non-local residents are set out in chapter III of the Basic Law (articles 24 to 44). Apart from positive discrimination as a necessary measure to redress de facto injustice, discrimination is absolutely inadmissible under the law (article 38). Except in accordance with the law, no restrictions may be imposed on rights and freedoms (article 40).

112. The Macao SAR has a wide range of ethnic, religious, linguistic and cultural communities living harmoniously with each other. Tolerance and respect for cultural diversity have always been the cornerstone of the Macao SAR way of life. Each ethnic group enjoys equal dignity and the right to enjoy its own cultural life, embrace its own religion and use its own language.

113. The participation of civil society groups in community life is one of the characteristics of the Macao SAR. The involvement of such associations in human rights-related government committees helps to promote relevant policies, promote and protect human rights, ensure transparency in the allocation of resources and the quality of services, and promote direct social participation in government affairs.

C. Progress in promoting and protecting human rights

114. The Macao SAR has made progress in various areas of human rights, particularly at the legislative level. New laws have been enacted, including legislation to prevent and combat domestic violence, define sexual harassment and child pornography as independent crimes, expand the definition of the crime of child prostitution, protect cultural heritage, regulate higher education, improve low-cost housing, strengthen food safety, establish a labour creditor's rights protection system, prevent and control environmental noise, revise the electoral system, improve labour relations and working conditions of expatriate employees, strengthen smoking prevention, strengthen the fight against the consumption and trafficking of narcotic drugs and psychotropic substances, and prevent communicable diseases. At present, the Legislative Assembly is considering bills on legal systems for protecting the rights and interests of the elderly and for affordable public housing, and on tax preferences for the employment of persons with disabilities.

115. In this regard, the mechanism formulated in 2011 for consultation on public policies and draft laws is an important tool for residents to participate in public affairs. Topics for such consultations have included the Publishing Law (2013), the legal system for the protection of consumer rights and interests (2014), the Macao Criminal Code, the special education system, the Ten-Year Plan of Action for Services to the Elderly, and the pension security mechanism (2015), the Legislative Assembly Election Law and the Ten-Year Plan for Rehabilitation Services (2016), setting up non-governmental municipal organizations, the Cybersecurity Law, and medically assisted reproductive technology (2017), and the Plan for Protection and Management of Historic Urban Areas of Macao (2018).

116. The government of the Macao SAR is also endeavouring to promote and guarantee the bilingual judicial system by increasing the number of professionally trained judicial personnel, thereby safeguarding the basic right of access to justice.

117. The government of the Macao SAR has continued to organize publicity campaigns and specialized training courses to promote human rights among government personnel, judicial personnel, teaching staff and different communities, and, through education, especially through teaching and promotional activities, has taken substantive and effective measures to promote equality and other basic rights stipulated under the Basic Law and human rights instruments applied in Macao. In this regard, the government pays special attention to adolescents by raising their awareness of gender equality, non-discrimination and other basic rights through school curricula and the establishment of the Law Popularization Centre for Youth in 2015. The Macao Youth Policy 2012–2020 also ensures youth participation in social and public affairs and safeguards equal opportunities.

118. In fact, the government of the Macao SAR has made efforts to broadly and comprehensively promote and raise awareness of human rights and related laws through new kinds of approaches and actions, including the use of new technologies and promotional activities in Chinese, Portuguese (the two official languages) and other languages, especially English.

119. The Macao SAR is strengthening its oversight and protection of the rights of expatriate employees to keep them free from abuse and exploitation. The Labour Affairs Bureau has adopted a variety of strategies, using different languages, to enhance employees' awareness of labour laws and of their own rights, and to develop harmonious labour relations.

120. The government of the Macao SAR has adopted a cross-cutting and comprehensive approach to domestic violence at the legal (public offences), institutional (cross-border cooperation mechanisms) and practical levels, and has taken various measures to assist victims, such as resettlement, economic and judicial assistance, health care, schooling, employment, individual or family counselling, and services through the Family Crisis Support Services Network. It has also established a notification mechanism requiring public and private entities providing services for children, women, the elderly or persons with disabilities to report domestic violence.

121. The government of the Macao SAR has drafted the Ten-Year Plan of Action for Services to the Elderly from 2016 to 2025 and the Ten-Year Plan for Rehabilitation Services from 2016 to 2025, respectively, and has set up an interdepartmental steering group to implement short-, medium- and long-term policies and measures in an orderly manner, so as to promote the quality of life of the elderly and help persons with disabilities integrate into society. In the area of drug abuse prevention, a healthy-life education park was set up in 2016 to promote healthy lifestyles, focusing on teaching children how to lead healthy lives.

122. The government of the Macao SAR is continuing to combat trafficking in narcotic drugs and psychotropic substances (under Law No. 17/2009 as amended in 2016), corruption (Law No. 10/2014, System for Preventing and Suppressing Bribery in Foreign Trade), and trafficking in persons. The Human Trafficking Deterrent Measures Concern Committee continues to coordinate the work of many government departments in preventing and combating trafficking in persons, and devotes significant resources to educational and promotional undertakings; related illegal activities have been effectively

curbed as a result, and the reduced incidence of such cases has garnered the recognition of all sectors of society.

123. Cultural diversity is one of the main features of the Macao SAR. The historic centre of Macao was included on the World Cultural Heritage List of the United Nations Educational, Scientific and Cultural Organization in 2005; that organization's official designation of Macao as a "Creative City of Gastronomy" in 2017 was another important milestone. Law No. 11/2013 on Cultural Heritage Preservation protects and promotes the material and intangible cultural heritage of Macao, and establishes a Cultural Heritage Committee composed of government officials and public figures of recognized ability.

D. Future objectives and challenges

124. The government of the Macao SAR is currently formulating the Macao Women's Development Goals, which will focus on seven areas: education and training, health care, security, social welfare, economy, participation in power and decision-making, and media and culture. An interdepartmental working group will be formed to discuss and coordinate specific programmes and policy measures to strengthen gender equality and women's development in society.

125. The government of the Macao SAR attaches great importance to environmental protection, and has been taking innovative and progressive measures to reduce carbon emissions and control increases in the number of vehicles (slogan: "Build a low-carbon Macao and create a green life together"). Deepening environmental education and advocating sustainable practices and a green society are priority projects. The Paris Agreement and the Minamata Convention on Mercury have been applicable in the Macao SAR since 2016 and 2017 respectively. In 2017, the government promulgated the Macao Solid Waste Resource Management Plan (2017–2026).

126. With regard to disaster prevention and civil defence, the government reviewed the current legal system for civil defence immediately after Typhoon Hato in 2017, and completed the drafting of the Civil Defence Framework Law, along with a framework for establishing a Civil Defence and Emergency Coordination Bureau, in February 2018. The aforementioned Bureau will be fully responsible for civil defence and emergency coordination. The government of the Macao SAR is now at work on the Ten-Year Plan for Disaster Prevention and Mitigation in Macao (2019–2028). It plans to build a new office building for the Civil Defence and Emergency Operations Centre on the Macao Peninsula, strengthen the software and hardware of the unified command centre, build a dedicated emergency-rescue team, and deepen the development of human resources for disaster prevention, as well as emergency-response capacity and risk assessment.