



人權

A photograph of a woman in a prison cell. She is looking out from behind vertical metal bars. Her face is partially obscured by the bars. A metal padlock is attached to the bars in the foreground. The lighting is dim and the overall tone is somber.

# All About Death Penalty 死刑知多少?

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**Amnesty International is ...**

- \* The largest human rights organisation in the world, with around 1 million members and supporters in 140 countries and territories.
- \* A democratic, membership-based organisation that has been promoting human rights, as enshrined in the Universal Declaration of Human Rights and other international standards, for the past 40 years.
- \* A campaigning organisation which works to fight discrimination; free prisoners of conscience; ensure fair and prompt trials for political prisoners; abolish the death penalty, torture and other cruel treatment of prisoners; end political killings and "disappearances"; and oppose human rights abuses by opposition groups.

**國際特赦組是 .....**

- \* 全球最大的人權組織，現時共有超過一百萬名會員及支持者，分會遍佈一百四十個國家和地區。
- \* 一個民主及以會員為基礎的人權組織，過去四十多年來，一直致力推廣《世界人權宣言》中的所有條款及其他人權標準。
- \* 一個運動組織，目標是對抗歧視；爭取釋放良心犯；確保政治犯迅速得到公平的審判；廢除死刑、酷刑和不人道的懲罰；終止司法外處決和「失蹤」，以及反對任何剝削人權的行為。

Amnesty International Hong Kong Section was founded in 1976. The Human Rights Education Charitable Trust was established with the Hong Kong Education and registered as a charity in Hong Kong in 1993. Our activities include:  
Human Rights Education  
Lobbying Governments  
Campaigning  
Fundraising

國際特赦組織香港分會於一九七六年成立，而分會屬下的人權教育慈善基金於一九九三年成立並在香港註冊為慈善團體。活動包括：  
人權教育、遊說政府、人權運動、籌款

HR stands for human rights, the protection of which is the core ideal that Amnesty International fights for. We have therefore decided to use it as the name of this bi-monthly newsletter of the Hong Kong Section. We hope the newsletter will be an effective means to communicate with our members and the public. You are most welcome to send any comments to us on its content or the work of Amnesty International at any time. Please email admin-hk@amnesty.org or write to us at the above address.

人權是國際特赦組織爭取的核心理想，我們現在以此作為香港分會的雙月通訊的名稱。我們同時期望它能夠成一個與會員及公眾溝通的有效方法。您對此刊物的內容甚至國際特赦組織的工作提出意見是無任歡迎的，請寄電子郵件致 admin-hk@amnesty.org 或致函上面的地址。



*The death penalty is the ultimate cruel, inhuman and degrading punishment. It violates the right to life. It is irrevocable and can be inflicted on the innocent. It has never been shown to deter crime more effectively than other punishments.*

死刑是極度殘忍、不人道及卑劣的懲罰手法。死刑剝奪了人生存的權利；執行死刑是無可挽回，極有可能禍及無辜的刑罰，死刑並不能證明比其他懲罰更有效阻止罪惡的發生。



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# From the Chair

## 主席話

Among the many controversies in Hong Kong recently, the decision by the Education and Manpower Bureau (EMB) in awarding the contract to educate school teachers on human rights to the Society for Truth and Light (the Society), a group which opposes anti-discrimination legislation on sexual orientation and apparently dislike legislation promoting the equal rights of all members in Hong Kong, has attracted protests from human rights groups and activists.

Amnesty International Hong Kong has written an open letter to Professor Arthur Li, Secretary for Education and Manpower, calling for an explanation for the decision-making process and inquiring the measures that EMB would take to ensure that the Society would deliver to the classroom the rights enshrined in international standards, covenants and norms. In EMB's reply, apart from addressing the questions we raised, the writer, representing EMB, said that she was "puzzled by Amnesty's concern over the awarding of the contract to a service provider, which has in the past called for the limiting of 'excessive' human rights in society" and further reiterated that she hoped this would not mean that "human rights should be absolute and not subject to any overriding consideration, such as social order."

I am puzzled, in return, by EMB's reply and am worried if it reflects the mentality of EMB and if it is the basis of EMB's decision to award the human rights education contract to the Society. Allow me to do a bit of lecturing here: Human Rights are inherent to human beings. They are inherent entitlements which come to every person as a consequence of being human. Human rights are universal, meaning that they are applied without discrimination to all people regardless of race, sex, religion, ethnicity, political or other opinion, national or social origin, or other status. Human rights are inalienable, in that they cannot be taken away, i.e. no one has the right to deprive another person of their rights. Human rights are indivisible, interrelated and interdependent, for the reason that it is insufficient to respect some human rights or not others. To live in dignity, human beings are entitled to freedom, security and decent standards of living. In practice, the violation of one right will often affect the respect of several other rights. All human rights should therefore be seen as having equal importance and of being equally essential to respect for the dignity and worth of every person. Even in time of public emergency which threatens the life of the nation - if this is what EMB referred to - there are restrictions to the power of the state outlined in the International Covenant on the Civil and Political Rights (ICCPR). Article 4 stipulates that state parties may derogate their obligations under ICCPR in time of officially proclaimed public emergency, provided that such measures are not inconsistent with their other obligations under international law and do not involve discrimination on the ground of race, colour, sex, language, religion or social origin. Governments must not, in the name of emergency, derogate their obligations to protect its people their right to life, to be free from torture, slavery, and arbitrary detention, and to enjoy freedom of thought, conscience and religion.

If EMB staff will be present in every class to monitor and assess how the course has been delivered, I hope the EMB will make their assessment tool, indicators, and their comments transparent.

Si-si Liu

近期有很多具爭議性的議題中，有一個最引起人權組織激烈反對的，那就是教育統籌局把舉辦人權課程合約給予明光社，向中學教師灌輸人權知識。明光社最近就性傾向歧視立法持反對意見，他們亦明顯不支持可以保障香港所有市民擁有平等權利的法例。

國際特赦組織香港分會曾去信教統局局長李國章，要求當局解釋如何決定將該合約給予明光社，及有甚麼措施去確保明光社能向教師灌輸國際水平的人權知識。當局沒有正面回應本會所提出的問題，但當局的發言人則對本會所關心的問題表示懷疑，因為她說明光社於早前曾提出要限制社會上出現人權“過盛”的現象，她認為“人權不是一個絕對的概念，它不能凌駕於任何的東西，諸如社會秩序。”

我對教統局的回應感到很疑惑，亦很擔心該局的反應反映了決策層的價值觀。容我說得深入一些：人權是每個人與生俱來的，即如果你是一個人，你便會被賦予人權。人權是具普遍性的，無論你是何等人種、性別、宗教信仰、種族，有任何政治上的意見、不同國家、擁有不同地位，只要生為人就有人權。人權與人是不可被分化的，即人權是不能被褫奪，沒有人有權去剝奪其他人的權利。人權是不可被分割、相互關連及依賴的。因人權擁有以上的特性，所以只尊重某些人權而不尊重其他就絕對不足夠。要有尊嚴地生活，人被賦予了自由、安全及不錯的生活水平，所有人也應被視為同等重要，亦同樣必要去尊重每一個人。甚至在國家危急存亡之際，也應該用平等的眼光去對待所有人。如果這是教統局所指的社會秩序的話，公民及政治權利國際公約也有明確的指引。公約的第四條指出，締約國在國家處於生死存亡之際，才能夠有限度減免履行公約所負之義務，而這種措施不得引起純粹以種族、膚色、性別、語言、宗教或社會背景為根據之歧視。政府也不得以處於危急狀態為由，去剝奪公民的生存權、不受虐待、不受奴役、不受無理拘留，以及享有思想及宗教等自由。

如果教統局能夠監察及評核人權教育課的進展情況，我們希望教統局可以使評核準則及他們的意見更具透明度。

