

## Hong Kong Standard

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## Action threatened on `rights abuse'

**STORY:** THE SAR Government might face another major lawsuit \_ this time for allegedly contravening the Basic Law and international human rights covenants in reviving appointed seats in the district councils, a legislator warned yesterday.

Frontier convenor Emily Lau Wai-hing, however, said she might not take such action as she was busy with her lawsuit against Xinhua News Agency.

But her colleague legislator Cyd Ho Sau-lan believed other organisations would likely support a legal battle for universal suffrage.

At a meeting of the Legislative Council's Bills Committee scrutinising the District Councils Bill, Ms Lau asked the government whether the revival of appointed seats in district councils, as the current district boards will be known, did not contravene Article 39 of the Basic Law.

The article stipulates that the provisions of the International Covenant on Civil Political Rights (ICCPR) are still applicable to Hong Kong after the handover.

Ms Lau also cited a report made by the United Nations' Human Rights Committee in 1995 criticising the functional constituency election as an arrangement which could not live up to the principle of "universal and equal suffrage" \_ a principle stated in Article 25 of the ICCPR.

"Even the functional constituency election was infringing the ICCPR \_ the system of appointed seats is even worse than that," Ms Lau said.

She said the revival of appointed seats in the district councils would contravene the ICCPR and the Basic Law.

But Principal Government Counsel (Elections) James O'Neil argued that the appointed system was "consistent with the Basic Law and the human rights provisions".

When Mr O'Neil failed to offer further reasons for such "consistency", Ms Lau appeared to have lost her temper. "How can you enact a law contravening Article 39 of the Basic Law and the international human rights covenants? That's outrageous."

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