Hong Kong Special Administrative Region SAR. 4th annual report 2001

2002/2276(INI) - 08/04/2003 - Text adopted by Parliament, single reading

The European Parliament adopted a resolution on the HKSAR, based on the own-initiative report drafted by John Walls CUSHNAHAN (EPP-ED, Ireland). While acknowledging that the new accountability system has only been in existence for a short time, it took note of the criticism that it concentrates power in the hands of the Chief Executive and had the potential to politicise the civil service. The promised review of constitutional developments post 2007 should prepare for the election of the Chief Executive in 2007 and the Legislative Council in 2008 on the basis of universal suffrage. Parliament was concerned that recent measures relating to Hong Kong's civil service could demoralise and undermine that service, which is universally respected for its professionalism and integrity. Parliament went on to express its concern about Article 23 of the Basic Law, which would provide for heavy penalties, including imprisonment, for treason, sedition, subversion and theft of state secrets, but precise definitions of these crimes have not yet been produced. Any legislation introduced under Article 23 must not interfere with the exclusive jurisdiction of Hong Kong courts. Several aspects of the proposed Article 23 legislation were singled out as matters of particular concern. These include the proposals relating to the proscription of organisations outlawed in mainland China on national security grounds and the totally inadequate appeal mechanism, which runs contrary to the spirit of Article 35 of the Basic Law. On the matter of human rights, Parliament called for a Statutory Human Rights Commission and urged the HKSAR government to undertake measures for a just solution to the problem of families split between Hong Kong and mainland China, including those whose family members had to return to mainland China after having their permanent residence in Hong Kong revoked by the re-interpretation of the Basic Law by the Standing Committee of the N.P.C. Parliament was also concerned by the comments made by the Chief Executive to the LegCo on the 14 June 2001, when he described the Falun Gong as an "evil cult". It stated its strong opposition to any move on the part of the Hong Kong authorities to ban the Falun Gong. It must be recognised that the great majority of practitioners in no way threaten the authority of the government. Parliament felt equally that the Falun Gong should pursue its right to practice in a responsible and nonconfrontational manner. Finally, on the SARS outbreak, Parliament criticised the lack of transparency, lack of information-sharing and unnecessary delays Chinese authorities in responding to the discovery of the deadly respiratory disease. Hong Kong's further integration with the Pearl River Delta (the Guangdong province) should not exclusively be about building roads and bridges and easing border control but should also promote public health and disease cooperation. An alert system must be established. Parliament asked the Commission to explore possible areas for cooperation between the EU and the HKSAR where there can be exchanges of experience and ideas, particularly in the fields of education, the environment, and cross-border cooperation.