Basic information

2002/2276(INI) INI - Own-initiative procedure	Procedure completed
Hong Kong Special Administrative Region SAR. 4th annual report 2001 **Subject** 6.40.08 Relations with Asian countries **Geographical area** China	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
AFET Foreign Affairs, Human Rights, Common Security, Defense	CUSHNAHAN John Walls (PPE-DE)	11/09/2002

Committee for opinion	Rapporteur for opinion	Appointed
ITRE Industry, External Trade, Research, Energy	GAHRTON Per (V/ALE)	08/10/2002

European Commission

Commission DG	Commissioner
External Relations	

Key events

Date	Event	Reference	Summary
05/08/2002	Non-legislative basic document published	COM(2002)0450	Summary
16/01/2003	Committee referral announced in Parliament		
25/03/2003	Vote in committee		
25/03/2003	Committee report tabled for plenary	A5-0112/2003	
08/04/2003	Decision by Parliament	T5-0142/2003	Summary
08/04/2003	End of procedure in Parliament		
12/03/2004	Final act published in Official Journal		

Technical information

Procedure reference	2002/2276(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Initiative
Legal basis	Rules of Procedure EP 55
Stage reached in procedure	Procedure completed
Committee dossier	AFET/5/19022

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, single reading		A5-0112/2003	25/03/2003	
Text adopted by Parliament, single reading		T5-0142/2003 OJ C 064 12.03.2004, p. 0024-0130 E	08/04/2003	Summary

European Commission

Document type	Reference	Date	Summary
Supplementary non-legislative basic document	COM(2001)0431	25/07/2001	Summary
Non-legislative basic document	COM(2002)0450	05/08/2002	Summary

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

2002/2276(INI) - 25/07/2001 - Supplementary non-legislative basic document

PURPOSE : to present the third annual report by the European Commission on the Hong Kong special administrative region. CONTENT : the European Union continues to attach great importance to its relations with the Hong Kong Special Administrative Region (HKSAR) of the People's Republic of China. The European Union has therefore watched closely, with genuine and friendly interest, the evolution of the HKSAR in general and the implementation of the 'One Country, Two Systems' principle in particular. As in the Commission's two previous annual reports, this report aims to assess the state of development of the Hong Kong SAR and its relations with the European Union. The report concludes that the year 2000 was rich in debate and controversy both on the implementation of the 'One Country, Two Systems' principle and on the safeguarding of some collective and individual rights, which are guaranteed by the Basic Law. These are the foundation for safeguarding Hong Kong's future and prosperity. The Commission welcomes the fact that the debates, disputes and deliberations were at times accompanied by public manifestations and protests, from various sectors of interest and opinion. This demonstrates a healthy regard for freedom and democracy, although it also reveals the need for continuing vigilance. Some unwelcome remarks by Hong Kong based mainland officials, pertaining to Hong Kong's liberty to act autonomously, triggered concerns both in Hong Kong and in the international community. The swift reaction of the Hong Kong SAR Government contributed to the safeguarding of Hong Kong's autonomy. However, the controversy concerning the presence of the Falun Gong movement in Hong Kong poses a new challenge to the Hong Kong authorities to continue to ensure that the rights and freedoms under the Joint Declaration - including freedom of assembly, freedom of expression and freedom of religion are maintained and respected under the law. This issue will no doubt warrant close attention in the months ahead. The fair and free LegCo elections also showed the maturity of Hong Kong citizens and politicians in the exercise of their basic political rights. This constitutes a further sign of the readiness of Hong Kong people to run Hong Kong in accordance with the 'One Country, Two Systems' principle. The lively debates and discussions on the exercise of basic rights constitute the best proof that Hong Kong remains a free society. There were a large number of demonstrations and protests during the year, which mostly took place in a peaceful manner and, in general, in conformity with the laws and regulations. The Hong Kong police continued to handle these demonstrations professionally and according to the law. The European Commission welcomes the impressive recovery of Hong Kong's economy so soon after the serious Asian financial crisis. The economic recovery will no doubt help Hong Kong to face the new challenges and opportunities that will be created by China's accession to the WTO. The European Commission is confident that the capacity and ingenuity of Hong Kong people will allow them to adapt their economy once more to meet the challenges of the welcome and full integration of China into the world economy.

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.

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

2002/2276(INI) - 05/08/2002 - Non-legislative basic document

This document consists of the fourth annual report from the Commission on the Hong Kong Special Administrative Region (SAR). As in the Commission's previous annual reports, this report aims to assess the state of the development of the Hong Kong SAR and its relations with the European Union. In its report, the Commission believes that after four and half years after the hand-over, the implementation of the "one country, two systems " principle continues to draw the close attention and interest of the European Union. The report considers that the "one country, two systems" principle continues to function well, although its implementation causes some debate and concerns, notably in relation to the right of abode but also in relation to the exercise of other rights and freedoms. Institutional developments such as the introduction of the so-called accountability system, the election of the Chief Executive by an Election Committee and democratic development were also reported to be the subject of concern or public debate. The EU intends to strengthen relations with Hong Kong in all areas where it has retained its autonomy as provided for under the Basic Law of the Special Administrative Region. As a first step, the EU and Hong Kong signed a Customs Cooperation Agreement in May 1999, providing mutual administrative assistance including the exchange of information on possible breaches of customs law and establishing a Joint Committee to oversee its proper functioning. Moreover, the Commission welcomes the commitments given by the Central People's Government and the Hong Kong SAR Government to maintain and safeguard the "one country, two systems" principle. The implementation of the principle during 2001 showed that in broad terms, Hong Kong maintained its unique and separate identity within China. The Commission acknowledges the statement of President Jiang Zemin that the HKSAR Government should handle such issues as the Falun Gong. The safeguarding of Hong Kong's system of values and its high degree of autonomy require the full and unequivocal commitment and vigilance of both the Mainland and Hong Kong authorities. The report highlights that it is inevitable that in the coming years public attention in Hong Kong will increasingly focus on the question of democratic development. The Basic Law stipulates that the ultimate aim is universal suffrage. It also includes provision for the Hong Kong people to have their say, in 2007, in deciding the timetable according to which this should be achieved. A free and open debate on this question in the next few years will be an valuable re-affirmation of the concept of one country, two systems, and offer further re-assurance both within Hong Kong and outside that Hong Kong people really are running Hong Kong with the promised high degree of autonomy. The EU will continue to watch developments very closely, particularly concerning the possible introduction of anti-cult legislation and its effect on freedom of expression in Hong Kong.