

4. Controversies after the handover

POST-1997 HONG KONG Unchanged for 50 Years? Liberty? Human Rights? Rule by Law?

The deceased Mainland Chinese leader Deng Xiaoping said to British Foreign Secretary Geoffrey Howe in 1984, "On the Hong Kong issue, we have to first introduce a promise that its capitalist system and way of living will remain unchanged for 50 years after 1997" (Deng Xiaoping commenting on Hong Kong, published by Joint Publishing CO., November 1993, page 9).

Article 2 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China stipulates, "The National People's Congress authorizes the Hong Kong Special Administrative Region to exercise a high degree of autonomy and enjoy executive, legislative, and independent judicial power, including that of final adjudication, in accordance with the provisions of this Law" (Basic Law of the Hong Kong Special Administrative Region, April 1992, page 3).

Four years after the transfer of Hong Kong's jurisdiction, have Mainland authorities really kept their promises? Have they tried to preserve Hong Kong's liberty, human rights, and independent judiciary?

This document lists in chronological order 130 controversies that have arisen in media since July 1997.

| No. | Time | Event | Source |
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| 103. | 2000.08.12 | <p><u>Father Franco Mella prays for the two people killed in the Immigration Department Arson incident in the Radio and Television Hong Kong (RTHK) program "Letter to Hong Kong"</u> : Two people were killed and more than forty injured in an arson attack at the Immigration Department headquarters in Hong Kong on August 2, as a result of some Mainland Chinese's attempts to fight for the "right of abode" in Hong Kong. RTHK invited Father Franco Mella to pray for the two killed in the program of "Letter to Hong Kong" on August 12.</p> | 2000.8.17 |
| | | <p><u>National People's Congress member in Hong Kong Lau Pui-king criticises RTHK's actions as "very inappropriate"</u> : Lau Pui-king issued an open letter in Wen Wei Po, saying that the RTHK should not invite Father Franco Mella someone who is supporting the "right of abode" claimants to express his opinion. Lau also criticised the action of RTHK as "very inappropriate" and "inciting those suffering from the tragedy".</p> | <u>Ming Pao</u> |
| | 2000.08.14 | <p><u>RTHK fires off two articles to defend its actions:</u>"Letter to Hong Kong" producer Chan Yiu-wah and RTHK Assistant Directory of Broadcasting Peter Siu Lo-sin both wrote articles responding to Lau's allegations, and said that any attempt to isolate Mella was not wise.</p> | |

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| | 2000.08.18 | <p><u>Pro-Beijing "Mirror Post Monthly" wants RTHK to "correct its wrongs and return to the right"</u> : The monthly magazine published an opinion piece written by a "Chung Yin", which claims that RTHK, as a public radio station, should not use the shield of "editorial independence" to allow some persons to vent their political idea, and to allow itself to become a spokesman and propaganda channel for some political extremists and those American politicians with a vicious anti-China agenda.</p> <p><u>RTHK retorts:</u> The RTHK retorted point-by-point against the allegations made in the "Mirror Post Monthly", and said that the Mirror Post Monthly went so far in its allegations of "traitor of the Chinese People " as absurd.</p> | |
| | 2000.09.01 | | |
| 104. | 2000.08 | <p><u>Hong Kong Government declines to issue visa to Taiwan Institute of Economic Research President Wu Rong-i</u> : Wu was planning to join an academic conference in Hong Kong in August, but he was informed by the Hong Kong Government that his visa application was declined.</p> <p><u>The Hong Kong Immigration Department refuses to comment on individual cases.</u></p> <p><u>Wall Street Journal says that the decision is political:</u> The newspaper believes that because Wu said during the Presidential Election that he was interested in becoming an advisor to President Chen Shui-bian, and hence is not favoured by Beijing.</p> | 2000.9.20. <u>The Wall Street Journal</u> |
| 105. | 2000.09.06 | <p><u>Hong Kong Government refuses to issue a visa for Mainland Affairs Council ex-chairperson Dr. King-yuh Chang:</u> Dr Chang was planning to visit Hong Kong along with the Hong Kong & Macao Association to observe Hong Kong's Legislative Council elections, but the visa application was declined by the Hong Kong Government.</p> <p><u>Hong Kong Economic Journal believes that this is because Dr Chang opposes "One Country, Two Systems":</u> The newspaper believes that Dr Chang's frequent statements that 80% of the population of Taiwan opposes the " One Country, Two Systems" formula from the Mainland brings discomfort to the Hong Kong Government, and it may worry that Chang would take the opportunity to promote his views in</p> | 2000.09.22 <u>Hong Kong Economic Journal</u> |

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| | | Hong Kong. | |
| 106. | 2000.09.26 2000.09.27 | <p><u>Mainland Vice Premier Qian Qichen wants the Hong Kong civil servants to "better" support CE Tung Chee Hwa:</u> While meeting with Hong Kong's Chief Secretary Anson Chan, he said he wants the Hong Kong civil servants to support "better" the work of the Chief Executive.</p> <p><u>Press believes that Qian's opinion contravenes "One Country ,Two Systems":</u> Several local newspapers such as Ming Pao, Apple Daily, and Sing Pao believes that the high profile intervention by the Communist Chinese into the affairs of the Hong Kong SAR will hurt the policy of "One Country Two Systems" and "a high degree of autonomy".</p> <p><u>CE Tung Chee Hwa believes that Qian's words represents "care" and not intervention:</u> The Chief Executive says that Qian's message is one of "encouragement" towards the civil servants and expresses "care", not intervention.</p> | 2000.09.27 <u>Apple Daily,</u> <u>Ming Pao</u> |
| 107. | 2000.09.28 | <p><u>Hong Kong Police arrests university students for the first time on grounds of participating in unauthorised assembly or assisting in organising an unauthorised assembly:</u> The Government charged those students representing the Hong Kong Federation of Students, (HKFS) who were involved in protests in 20th April (opposing the Government's planned introduction of under graduate school fees based on individual subject) and 26th June (opposing the National People's Congress interpretation of the Basic Law)by the law of the "Public Order Ordinance's parts banning "an unauthorised assembly or assisting in organising an unauthorised assembly" .</p> <p>(一) Note: In 1995, the then British Colonial Government relaxed the Public Order Ordinance, and said that an assembly or procession need only notify Police. However, on the day of the handover, the Provisional Legislative Council amended the law to one of requiring a "no objection" notice from the Police seven days in advance, for the assembly over fifty participants or procession over thirty people restricting the rights towards assembly and procession. This was referred to as "Restoring the Previous Harsh Rules".</p> <p><u>"Human Rights Watch" in Hong Kong condemns the Hong Kong Police:</u> The organisation released a statement condemning the Police's action towards HKFS representatives was a political persecution, and worried that the Government were suppressing differing opinions and creating "white terror".</p> | 2000.09.29 <u>Ming Pao,</u> <u>Apple Daily,</u> <u>Hong Kong Economic Daily</u> |

The legal profession believes that the Public Order Ordinance is being used as a political tool: Senior Counsel and Legislator Margaret Ng criticised the Government for selectively charging some protestors, and clearly using the Public Order Ordinance as a political tool; practising lawyer Fred Kan suggests that the Secretary for Justice should use her discretionary powers to exempt the students from being prosecuted.

Media suggests that Government's moves are for retaliation against student leaders: Ming Pao's editorial questioned whether the Police was trying to retaliate against student leaders organizing anti-Government activities, and as a result abusing the police powers granted in the Public Order Ordinance, and threatening the human rights and freedom in Hong Kong. Apple Daily's editorial said that the Public Order Ordinance prior to the handover had already been adequate for maintaining peaceful assemblies and possessions. The current Public Order Ordinance is in effect establishing a mechanism for the Police to make prior politically motivated judgments and assessments on such activities.

HKFS representatives organize protests against the retrieval of previous harsh regulations : HKFS representatives organised a procession on October 2 in protest of HK Government. The number of participants increased from over 20 to more than 300 people from 13 organisations including several politicians and academics.

Democratic Party (DP) Chairman wants the "Public Order Ordinance" restored to pre-handover condition : Martin Lee said legislators from the DP and other democratic parties will jointly introduce legislation to return the "Public Order Ordinance" to its pre-handover conditions.

Hong Kong Government emphasises that arresting the students is legal and proper: A spokesman said the "Public Order Ordinance" was in agreement with the International Bill of Human Rights, and the Police made arrests legally and within their duties.

Hong Kong Government says students involved in the April 20th protests will not be charged, but has not made a decision on those involved in the June 26th: The Government says that the Secretary for Justice had, after considering all relevant evidence and the circumstances,

decided that it would not be appropriate to charge those students arrested for protesting School fees based on individual subject on April 24, but have not made a decision on those students involved in the June 26 protests.

2000.10.02

HKFS releases statement stressing continued fighting against Public Order Ordinance: The HKFS said the Secretary for Justice's reasoning of a "lack of evidence" was not convincing, and that the HKFS will continue to fight for alterations to the "Public Order Ordinance".

Hong Kong Human Rights Monitor(HKHRM) welcomes the decision of the Government: The director of the HKHRM, Law Yuk-Kai, welcomed the decision, and said that Government should not strongly put the "Public Order Ordinance" into practice.

2000.10.3

Ming Pao

Chief Executive Tung Chee Hwa says the Public Order Ordinance does not need to be reviewed or modified at this stage: Tung said the Government had not selectively arrested the students, and had no political motivation.

More than one thousand Hong Kong residents stage a demonstration against "suppression of student activities" : Protestors want the Government to release immediately those students jailed for the June 26th protests, and immediately revise the "Public Order Ordinance".

2000.10.3

Hong Kong Bar Association releases a statement saying that the "Public Order Ordinance" may contravene the "Basic Law" and the International Bill of Human Rights : It says that the "Public Order Ordinance" may violate the Basic Law and the International Bill of Human Rights, and urges the HK Government to review the ordinance as soon as possible.

2000.10.5

Pro-Communist Chinese persons believe that the "Public Order Ordinance" is reasonable: Tsang Hin Chi, a member of the standing committee of the National People's Congress, and Hong Kong ordinary NPC member Maria Tam Wai-chu both said that the "Public Order Ordinance" was reasonable, and was in accordance with the Basic Law and the International

Confederation of Trade Unions (CTU), General Union of Clerical Grades Civil Servants, and other associations stage demonstration: Several labour unions staged a demonstration without the Police approval and was against the Public Order Ordinance. The participation of the General Union of Clerical Grades Civil Servants is the first union that represents the Civil Servant to participate in a similar demonstration .

2000.10.5

HKSAR
Government
Press
Releases

The Government releases a statement that says the Public Order Ordinance is already more relaxed than the International Bill of Human Rights.

The Deputy Commissioner of Hong Kong Police Wong Tsan-Kwong explains the rules behind police operations: Wong said whether the Police investigates or charges those involved in illegal processions or protests would depend on how the protestors respond to Police warnings and the degree of seriousness of the violations, and the Police did not selectively practise the law.

2000.10.6

Apple Daily

Secretary for Justice decides not to charge those involved in the June 26th protests: A spokesperson said the Secretary for Justice had decided not to charge those involved in the June 26th protests after considering all the evidence and circumstances.

2000.10.6

2000.10.8

2000.10.7

Hong Kong

2000.10.9

2000.10.15

Economic
Journal

2000.10.16

Hong Kong
Economic
Journal

2000.10.10

Ming Pao

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| | 2000.10.25 | | <p>2000.10.25</p> <p><u>HK</u> <u>Government</u> <u>Press</u> <u>Releases</u></p> |
| 108. | 2000.9.28 | <p><u>RTHK stops broadcasting the television program “Headliner” for six months</u>: The "Headliner" program, having broadcasted for more than a decade, were stopped from July 8 to give way to election broadcasts. The station decided to replace it with the "Hong Kong's Leaders" series interviewing the political leaders such as Chief Executive, Leung Chun-ying and others from October 6.</p> | <p>2000.9.29</p> <p><u>Apple Daily</u>, <u>Ming Pao</u></p> |

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| | | <p><u>Democratic Party legislator Sin Chung-kai believes that the show was ditched because of Xu Ximin's comments: Because the show was criticised by PCC member Xu Ximin as "strange and weird", Sin believes the show was halted because of Xu's comments.</u></p> <p><u>Many people worry that the RTHK could become a government mouthpiece: Chinese University professor So Shi-ki believes that the new program seems to be nothing more than a promotion show for the Hong Kong SAR government; Baptist University assistant professor To Yiu-ming hopes that the RTHK would not become a government mouthpiece; Democratic Party legislator Cheng Ka-fu worries that the RTHK would become the "People's Radio".</u></p> <p><u>Director of Broadcasting Chu Pui-hing says they are merely program changes and does not mean that the show would not broadcast again.</u></p> <p><u>RTHK Television producer Sze Wing-yuen writes in Ming Pao asking the public to be less suspicious towards program changes.</u></p> | |
| 109. | 2000.10.4 | <p><u>The "Liaison Office" asks the Hong Kong Catholics to lower profile over Vatican's proclamation of 120 "saints": Catholic bishop Chan Yat-kwan wrote an article on October 4 in Ming Pao entitled "We thought these 'campaigns' were history", and said that after talking to Mainland bishop Lau by phone in April this year, he was warned by the Liaison Office in Hong Kong that "Beijing is very dissatisfied with you", and the Liaison Office demanded that the Hong Kong Catholics not to make a high profile celebration of the canonisation of the 120.</u></p> <p>Note : The Vatican canonised 120 people killed in the Mainland over 120 years ago on October 1 (the 51st anniversary of the PRC), which infuriated the PRC.</p> <p><u>Martin Lee believes that the Liaison Office was greatly interfering in the religious freedom of Hong Kong.</u></p> <p><u>The deputy director of Liaison Office Mr.Wang Fengchao refuses to comment on the matter in a public gathering.</u></p> <p><u>The Director of Hong Kong SAR Government Home Affairs</u></p> | 2000.10.4 <u>Ming Pao</u> |

Bureau W. K. Lam emphasizes that the Hong Kong SAR Government will not interfere in any religious activities, and will protect all legal religious activities.

Hong Kong Catholic Times editor believes that Chan's opinion does not represent the opinion of the Hong Kong Catholics or that of the Vatican: He praised Chan for his bravery, but said his opinion was his personal opinion.

2000.10.5

Ming Pao

Academics believe that the speech of the Liaison Office was inappropriate: Chinese University of Hong Kong Chung Chi College Theology Division head Lo Lung Kwong says that the Liaison Office opinion neglects "One Country, Two Systems", and worries that the religions interactions between the Mainland and Hong Kong will become "dangerous"; City University professor Cheng Yu-shek believes that as long as religious activities remain legal, Mainland officials shouldn't "say too much".

The Liaison Office claims the canonisation was using religion to interfere in the internal affairs of PRC: Wen Wei Po reports the "relevant departments within the Liaison Office" believes that the canonisations were not just simple religious activities, and it is to use history to assist in current political activities, and religion has been used to interfere in the internal matters of the PRC.

Chan says that after the canonisation, many religious exchange activities with the Mainland were blocked: Chan said in a radio programme that many religious personnel were refused permission to teach in the Mainland, visits were blocked, and some followers reported receiving calls from Mainland religious organisations warning not to visit the Mainland temporary.

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| | | | <p>2000.10.5</p> <p><u>Wen Wei Pao</u></p> <p>2000.10.11</p> <p><u>Apple Daily</u></p> |
| 110. | 2000.10.26 | <p><u>PRC Vice-Premier Qian Qichen openly endorses Tung Chee Hwa for a second term as CE : While Tung Chee Hwa was in Beijing to report, Qian responded to media that he supported Tung Chee Hwa's running for a second term, and hoped that Hong Kong government officials and the public would support Tung Chee Hwa. (Premier Zhu Rongji and President Jiang Zemin followed through later.)</u></p> <p><u>The press widely believes that Qian's opinion hurts the promised "high degree of autonomy" in Hong Kong : Apple Daily, Ming Pao, Sing Tao Jih Pao and the Hong Kong Economic Daily all said Qian's words damaged the image of Hong Kong's autonomy. Democratic activists and academics believe that it means to the World that the Chief Executive elections are controlled by Beijing, and the electoral college is merely a rubber stamp.</u></p> <p><u>Jiang Zemin shouts to Hong Kong media reporters, and clarifies that "support" does not mean "imperial edict": While Jiang Zemin met with Tung Chee Hwa, he strongly criticised the media as "too simple, sometimes naïve" and said that "support" does not mean "imperial edict", and that elections for the Chief Executive will continue to follow the rules laid down in the Basic Law, but the decision powers of the Central government is also very important.</u></p> | <p><u>Hong Kong Economic Journal,</u> 2000.10.27</p> |

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| | 2000.11.3 | <p>told to back Chief Executive Tung Chee-hwa. PRC State Council news bureau director Chiao Chi-ching and Three Gorges construction committee vice-convener Kuo Shuyian both openly criticised the SCMP on October 25.</p> <p><u>Willy Lam released a statement saying that the press freedoms of Hong Kong had been damaged.</u></p> <p><u>HKJA worries that the editorial independence of Hong Kong is weakened, and will be damaged the international reputation of Hong Kong.</u></p> <p><u>Frontier Legislative Council member Cyd Ho believes that this is an intervention by Beijing into the media.</u></p> <p><u>The international media is concerned whether the event is related to Beijing:</u> The BBC reported in its bulletins that the event brought into question whether the press freedom of Hong Kong was being threatened. Deutsche Presse Agentur GmbH believed that the event was related to Willy Lam's reporting of Beijing rumours. The Asia Wall Street Journal gave prominent coverage to the incident, and felt that it would serve as a warning to some media organisations, and the Foreign Press Association released a statement saying the event may be politically motivated.</p> | <p><u>Ming Pao</u> 2000.11.4</p> <p><u>Hong Kong Economic Journal,</u> 2000.11.7 ; <u>Sing Pao Daily News</u> 2000.11.8</p> |
| 113. | 2000.11.7 | <p><u>Hong Kong Government fails to invite representatives of Democratic Party and Catholic community in Hong Kong to meet Li Ruiwan:</u> Hong Kong Government's Home Affairs Bureau invited 156 persons from all walks of life in Hong Kong to meet Li Ruiwan, Chairman of People's Consultative Conference of PRC , including the leaders of three political parties in the Legislative Council: Democratic Alliance for the Betterment of Hong Kong, Liberals and HKPA, and sat alongside Li. However, Democratic Party Chairperson Martin Lee, Frontier chief Emily Lau and a representative from the Catholic community in Hong Kong were not invited.</p> <p><u>Martin Lee believes that Pro-Beijing people are trying to</u></p> | <p><u>Ming Pao.</u> 2000.11.8</p> |

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| | | <p><u>split the society:</u> Democratic Party Chair Martin Lee believed that it was Li Ruiwan and hence pro- Beijing forces that were trying to split the society, not the democratic activists.</p> <p><u>NPC member Allen Lee believes that a lack of democratic activities is a matter of regret.</u></p> <p><u>Hong Kong Government does not respond :</u> Hong Kong Government's Home Affairs Bureau said in response to media queries that the invitations were set up by that bureau in conjunction with relevant authorities, but could not give an answer as to why the Democratic Party Chairperson was not invited.</p> | |
| 114. | 2000.11.29 | <p><u>The Report of British House of Commons criticises the PRC's increasing intervention into the internal matters of Hong Kong :</u> The British House of Commons sub-committee on Hong Kong released its latest report, citing the examples of the departure of South China Morning Post editor Willy Lam, Qian Qi-chen "criticising" Anson Chan and asking her to better support Tung Chee Hwa, and other examples, to criticise the PRC for increasingly interfering in the internal matters of Hong Kong, and clearly violating the promise of a "high degree of autonomy". The report also urges the British Government to monitor more closely Beijing and Hong Kong governments.</p> <p><u>Hong Kong Government retorts in a statement:</u> Hong Kong Government said in the statement that the "Central" Government fully respected the high degree of autonomy enjoyed by Hong Kong, and have never interfered in the internal matters of the SAR, and the report did not fully understand the current situation in Hong Kong.</p> <p><u>Lau Siu-kai believes that the report of House of Commons lack evidence:</u> Lau Siu-kai, the Associate-Director of the Hong Kong Institute of Asia-Pacific Studies of Chinese University Hong Kong, believed that the evidence cited in the report was neither strong enough, and nor did he believe that the report would affect the British Government's policy towards China. He understood that the authority of the Hong Kong government has taken a turn for the worse, and western governments would increasingly think that Beijing would interfere in the affairs of Hong Kong.</p> | <p>Oriental Daily News, 2000.11.30</p> <p>HK Government Press Releases, 2000.11.30</p> |
| 115. | 2000.12.20 | <p><u>Jiang Zemin wants the media to pay attention to social responsibilities:</u> PRC President Jiang Zemin said in the Macao handover anniversary celebrations that Hong Kong and Macao media shall not only uphold press freedom, but also pay attention to social responsibilities. The media shall function positively in matters that concern the stability and prosperity of Hong Kong and Macao and the interests of the State and the Chinese Race.</p> <p><u>Hong Kong Journalists Association releases a statement saying that press freedom has been negatively affected:</u> The HKJA said Chinese leaders' persistent comments on press freedom created additional pressures for members of the press</p> | <p>Ming Pao, 2000.12.21</p> |

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| | | <p>and negatively affected press freedom.</p> <p><u>Democratic Party Chairperson Martin Lee believes the comments are hoping for the media to self-censor.</u></p> <p>Commentator Hung Ching Tin said in Ming Pao that Jiang Zemin's words attempt to change the functions and roles of the media within Hong Kong society. The function of media is an internal matter for Hong Kong and the central government shall not interfere upon .</p> | |
| 116. | 2001.1.9 | <p><u>Ta Kung Pao publishes an editorial saying that the Falun Gong is turning Hong Kong into a subversion base:</u> Ta Kung Pao released an editorial titled "Carefully watching Falun Gong's anti-China political activities", which said that the Hong Kong Falun Gong association was closely aligned with overseas organisations to openly oppose the Central government in Hong Kong, and destroyed "One Country, Two Systems". Ta Kung Pao also questioned why the HKG government allows the Falun Gong to rent the Hong Kong City Hall for its "Falun Gong Learning Experience Meeting".</p> <p><u>A spokesman for the Hong Kong City Hall says that conference is legal:</u> The spokesman said the "Hong Kong Falun Gong Buddhist Association" was a legally registered organisation, and that the meeting was a legal activity which was approved immediately after an application was filed in August 2000.</p> <p><u>James To says Ta Kung Pao's editorial shows that the central government is unsatisfied with the Hong Kong government's relaxed attitude:</u> Legislative Council vice-chair for the security panel, James To, said the <u>Ta Kung Pao</u> editorial showed that the central government was unsatisfied with the Hong Kong government's relaxed attitude towards the Falun Gong, and wanted to expand its regulatory net while Hong Kong reviews legislation for Article 23 of the Basic Law.</p> <p><u>Pro-Beijing persons believe the editorial does not represent "putting pressure on the Hong Kong government":</u> "NPC" member Woo Wai Yung, Democratic Alliance for the Betterment of Hong Kong Lau Kong Wa believes Ta Kung Pao's editorial did not represent "pressuring the Government", and that every newspaper editorial could have its own opinions.</p> <p><u>Hong Kong Government says all processions or gatherings must abide the laws of Hong Kong.</u></p> <p>"Falun Gong Learning Experience Meeting from home and abroad" was verbally warned twice at the scene by the Leisure</p> | Ming Pao, 2000.1.10 |

and Cultural Services Department over suspicions that the meeting criticised President Jiang Zemin oppressing Falun Gong. LCSD wrote to the Falun Gong director in Hong Kong warning that the expressed comments in the meeting were different from those planned for in the application, and was violating the rental conditions.

Lau Siu-kai believes what the Hong Kong Government has done is to prohibit the Falun Gong from renting the property again, to avoid any further direct challenges to Beijing, and to prevent the Hong Kong Government from being placed in an awkward position.

Frontier convener Emily Lau believes that the Hong Kong Government's moves amount to press censorship, and worries that organisations opposed by the Government may be oppressed in future.

Jian Hong-Zhang believes the incident is related to pressure from high ranking officials in Beijing: The Director of Falun Gong in Hong Kong Jian Hong-Zhang disagreed with the notion that the activity was deviated from the topic of Falun Gong experience. In addition, he said that the act of the Entertainment and Cultural Affairs Administration of HK SAR Government to add to the original lease a clause which forbid attendants of the activity to use threatening, derogatory or insulting language is related to pressure from high officials.

Ta Kung Pao, Wen Wei Po editorials criticize Falun Gong: Ta Kung Pao published an editorial criticizing that Falun Gong activities were highly anti-China. The Paper also supported Hong Kong SAR government to prohibit foreign parties to conduct anti-China activities in Hong Kong. Wen Wei Po criticized that the international communication convention called by Falun Gong was against the Basic Law and had damaged the realization of "One Country ,Two Systems".

Chief Executive emphasizes that Hong Kong would not be used as a subversion base: Chief Executive Tung Chee Hwa, during a meeting with Legislative Council members, said that he would not tolerate Hong Kong being used as a base to topple the government. As to whether permit Falun Gong organization to file activities applications to Hong Kong Government, Tung said all procedures should be dealt with according to the regulations.

PRC Foreign Affairs spokesman Zhu Pangchao says the Falun Gong was trying to attract international attention and sympathy, and at the same time trying to disrupt the social order of Hong Kong.

2001.1.14

Hong Kong Economic Daily,
2001.1.16

The Liaison Office criticises the Falun Gong has become internationalized: "The Liaison Office" spokesman, while interviewed by the China News Agency, said Falun Gong was increasingly politicized and internationalized, and pointed its guns directly towards the central government. He warned against anyone or any organisation from turning Hong Kong into a base opposing the Chinese government.

People's Political Consultative Conference member Xu Simin, NPC members Huang Guanghan, Tsou Weng Wai were interviewed by the China News Agency, and said that the Hong Kong Government should revoke the registration of Falun Gong in Hong Kong and take appropriate action.

Martin Lee criticises the PRC as trying to use pro-PRC figures to interfere in the internal matters of the SAR.

Chief Secretary for Administration Anson Chan says the Hong Kong Government shall follow the rules and as long as Falun Gong practitioners continue to abide by the law they can still practice in Hong Kong.

Tsang Hin Chi says he will reflect on Falun Gong activities in Hong Kong in the Standing Committee of the NPC: NPC standing committee member Tsang Hin Chi wants the HKSAR Government to take into account the collective welfare of Hong Kong, and not to let Hong Kong become a base for forces opposing the PRC government owing to "One Country, Two Systems", and he says he will raise to the Standing Committee the "actions" of the Falun Gong.

Note: According to Article 18 of the Basic Law, the NPC standing committee can, after consulting the Basic Law committee and the Hong Kong Government, incorporate regulations against the Falun Dafa applicable in China into Appendix 3 of the Basic Law, and become part of the laws of Hong Kong.

Hong Kong human rights organisations concern about the central government pressuring the Hong Kong government: The Hong Kong Human Rights Commission, Hong Kong Human Rights Monitor and the Hong Kong branch of the International Commission of Jurists released a joint statement saying that the statements made by the PRC and Pro-PRC persons in Hong Kong on Falun Gong was pressuring the SAR Government to prohibit the Falun Gong from practising in Hong Kong.

Hong Kong Economic Journal,
2001.1.17

2001.1.15

2001.1.16

2001.1.30

Hong Kong
Economic
Daily,
2001.1.31

2001.1.31

Ming Pao,
2001.2.1

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| | 2001.2.1 | | |
| | 2001.2.4 | | <p>Ming Pao, 2001.2.5</p> |
| 117. | 2001.1.12 | <p><u>Chief Secretary Anson Chan resigns for "personal reasons" Chan announces her decision to retire in April for "personal reasons" :</u> While she denied having problems working with the Chief Executive, she did emphasis that someone tried to drive a wedge between them.</p> <p><u>Britain, Japan puts out statements :</u> The British Foreign Secretary and the Japanese Consulate General both released statements praising Chan's contributions towards the stability of Hong Kong.</p> <p><u>Democrats worry about international perceptions towards "One Country, Two Systems" :</u> Chairman of the Democratic Party Martin Lee was shocked and saddened by the</p> | <p><u>Commercial Daily.</u> 2001.1.13</p> |

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| | | <p>resignation of Chan, and felt that overseas leaders and the foreign press would have doubts over the implementation of "One Country Two Systems". Hong Kong Confederation of Trade Unions Chairman Lau Chik-shek believes that her resignation would throw a cloud over the relationship between the Hong Kong Government and the Democrats.</p> <p><u>Media and some persons believe that the resignation of Anson Chan is related to Beijing:</u> CTU's Lee Cheuk Yan believed that the "central" government did not like Anson Chan having different opinion with the Chief Executive, and booted her out as a result. City University professor Cheng Yu Shek did not rule out the possibility that Chan was resigning because of traditional pro-Beijing influence. Hong Kong Economic Journal had an op-ed article written by a "Chun Yu" said that the differences of opinion between Tung and Chan, as well as Beijing's pressures, were responsible for Chan's departure. NPC member Allen Lee and Hong Kong's Open Magazine both felt that the leasing of Hong Kong's City Hall to the Falun Gong is the reason behind Chan's resignation.</p> <p><u>The New York Times suggests that the resignation of Anson Chan represents a loss of the promise of autonomy for Hong Kong.</u></p> | <p>Hong Kong Economic Journal, 2001.1.13</p> |
| 118. | 2001.1.17 | <p><u>Hong Kong Government wants the Court of Final Appeal to request clarification from the Standing Committee of the NPC over the right of abode claims:</u> The Government's Immigration Department has appealed against adverse rulings in the Chong Fung Yuen case (whether children born in Hong Kong while their Mainland parents were illegally over-stay in Hong Kong) in the Court of Final Appeal in November 2000 (having already lost it twice in 1999 and July 2000). In its "Case for the Appellant", the HK Government said the Court of Final Appeal should refer the relevant legal statues to the Standing Committee of the NPC for interpretation.</p> <p>Hong Kong Bar Association chair Ronny K.W. Tong said that the case fell within the autonomous rights of Hong Kong, and was neither an affair for the "central government" nor one that came under the clause of "relation between the central and Hong Kong governments". It required no NPC clarification, otherwise "One Country, Two Systems" will become "One Country, One System".</p> <p><u>Democrats believe that this will affect judicial independence:</u> Democratic Party Chairperson Martin Lee believed that the Government's decision to ask the NPC for a clarification again represented a further abandonment of the autonomous rights and judicial independence of Hong Kong. Legislative Council member Audrey Eu said the Government was diminishing the locals' confidence in the judicial independence.</p> <p><u>The Liberal Party says that they "understand" the</u></p> | <p>Ming Pao, 2001.1.18</p> |

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| | | <p><u>Government's decision on this.</u></p> <p><u>Pro-Beijing newspapers call the decision "reasonable":</u> Ta Kung Pao, Wen Wei Po both gave a great deal of coverage towards this incident, and claimed that the Government's decision reasonable, appropriate and within the rules of the Basic Law.</p> <p><u>Hong Kong Human Rights Monitor says it will express its disapproval to the United Nations Human Rights Commission.</u></p> <p><u>Secretary for Justice Elsie Leung writes to explain the actions of the Government:</u> Elsie Leung wrote an article entitled "Court of Final Appeal's Authority is Respected" and emphasises that the HK Government appeals case to the Court of Final Appeal represents a respect for the final appeal rights of the CFA, and that it is a responsibility of the Hong Kong Government to do so, and is not pressuring the Court over sensitive matters.</p> | |
| 119. | 2001.1.29 | <p><u>Nobel laureate Gao Xingjian visits Hong Kong from January 29 for four days.</u></p> <p><u>CE Tung Chee-hwa refuses to attend welcome reception:</u> CE Tung Chee-hwa and most senior government officials refused to attend the reception. The only senior official that turned up on behalf of the Government was Secretary for Home Affairs W. K. Lam.</p> <p><u>Democratic Party Chairman Martin Lee questions the confidence of the CE towards "One Country, Two Systems":</u> Chairperson Martin Lee believes that the CE is following central government lines over academia and culture, and shows that he has no confidence over the implementation of "One Country, Two Systems".</p> <p><u>The press questions that the Government's low-key approach owes to the attitude of central government:</u> A <u>Ming Pao</u> opinion piece believes that the Hong Kong government officials are afraid of offending the central government, and therefore significant play down Gao's visit to Hong Kong. The Hong Kong Government was very petrified and nervous over his reception. An article from the Hong Kong Daily News believes that it is regrettable that "One Country, Two Systems" has ended up like this.</p> | <p><u>Hong Kong Economic Journal,</u> <u>2001.1.30</u></p> |
| | 2001.2.1 | | |
| 120 | 2001.3.19 | <u>The International Committee for the Protection of</u> | 2001.3.20 |

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| | | <p><u>Journalists criticized the PRC for openly being hostile to the HK media:</u> The International Committee for the Protection of Journalists, in its 2000 report on governments' pressure on the media, harshly criticized Mainland Chinese authorities' public statements for creating great pressure on the Hong Kong media last year.</p> <p><u>Chair of Hong Kong Journalists Association Mak Ying-ting said that in the post-1997 years, restrictions on Hong Kong reporters covering news on the Mainland have not been relaxed at all, still posing great risk to them.</u></p> | <p>Apple Daily</p> |
| <p>121</p> | <p>2001.3.29</p> | <p><u>The HKSAR government asked the ROC finance minister and CEPD chairman to sign papers before being given visas.</u> The ROC Finance Minister Yen Ching-chang and Council for Economic Planning and Development (CEPD) Chairman Chen Po-chih were invited to take part in an economic forum in Hong Kong on March 29. They were requested by the HKSAR government to sign a paper with commitment not to engaging in activities that could embarrass the Hong Kong authorities or represent Taiwan as a sovereignty. After negotiations through certain channels and the media's reports of the position of the National Security Bureau, the HKSAR government notified the two that such papers could be waived, and the two visited Hong Kong subsequently.</p> <p><u>The HKSAR Government said no comment on visa issuance in specific cases.</u></p> <p><u>The HKSAR chief executive office: certain people can be allowed into Hong Kong in private capacity for particular events.</u> HKSAR Government Information Coordinator Stephen Lam said the government promotes exchanges (with Taiwan) under the "one China" principle and allows certain people to take part in activities in Hong Kong in private capacity.</p> <p><u>Press reports: the HKSAR government unhappy about Taiwan officials' violating of previous verbal commitments.</u> According to the Sing Tao Daily, HKSAR government officials expressed dissatisfaction that Taiwan officials had committed verbally to taking part in activities in private capacity in Hong Kong but later strongly criticized the government's discrimination. HKSAR government officials said Taiwan officials have violated the verbal commitment made earlier.</p> | <p>2001.3.30</p> <p>Oriental Daily News</p> |

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| | | <p><u>The Min Pao editorial said that the HKSAR government is wise in leaving the dispute behind, indicating the government's flexibility in handling HK-Taiwan issues.</u></p> <p><u>Commentator Lau Yiu-siu said the HKSAR government's move could deter foreign businessmen.</u> Political commentator Lau Yiu-siu, in an article published in the Hong Kong Daily News, said the HKSAR government's move could deter foreign investors, since Taiwan officials were not given these conditions on trips to the Mainland. Lau said the HKSAR government should not set up barriers for Taiwan officials' visits to Hong Kong.</p> <p><u>Kenneth S. K. Lau: the HKSAR government's Taiwan policy shaky.</u> Kenneth S. K. Lau, associate director of the Hong Kong Institute of Asia-Pacific Studies of the Chinese University of Hong Kong, said the HKSAR government's Taiwan policy has been very shaky and its communications and coordination with the (PRC) central government is not clear.</p> <p><u>Wong Ka-ying: the government makes decision in light of Washington-Beijing relations and cross-strait relations.</u> Wong Ka-ying, coordinator of the Hong Kong Institute of Asia-Pacific Studies of the Chinese University of Hong Kong, said the HKSAR government has no guiding principles in handling visas for Taiwan officials, which has perplexed many. The HKSAR government's decisions on such visa cases might be made in light of the Washington-Beijing relations or cross-strait relations at the particular moment.</p> | <p>2001.3.30</p> <p><u>Sing Tao Daily</u></p> <p>2001.3.30</p> <p><u>Min Pao</u></p> <p>2001.3.30</p> <p><u>Hong Kong Daily News</u></p> |
| 122 | 2001.5.6 | <p><u>More than 100 Falun Gong disciples were denied of entering HK during the period when the Fortune Global Forum meetings were held.</u> More than 100 Falun Gong members from Taiwan, Japan, the United States, Canada, and elsewhere were denied of Hong Kong visas for security reasons when the Global Fortune Forum meetings were held in Hong Kong.</p> | <p>2001.5.6</p> <p><u>Min Pao</u></p> |

The HKSAR government maintained that visa applications of foreigners are handled in accordance with the Immigration Ordinance.

Four countries' consulate general expressed concerns. Consulate General of the United States, the United Kingdom, Canada, and Australia expressed grave concerns over their citizens being denied of visas. The U.S. Consulate General believed the HKSAR government's decision has restricted the freedom of speech and expression in Hong Kong. The Consulate General of Australia called into question the effective protection under the International Covenant on Civil and Political Rights in Hong Kong.

2001.5.8

Government
Press
Release

2001.5.17

Hong Kong
Economic
Journal

2001.5.16

The Asian Wall Street Journal carried an editorial "Hong Kong's liberty is receding, and people's freedom is undermined.

The secretary for security acknowledges there is a blacklist. Secretary for Security Regina Ip said the Immigration Department has a list of persons to be barred from entry. The Immigration Department has its discretion to determine who can enter or exit Hong Kong, and maintains regular information exchanges with law enforcement agencies of other countries to update the list.

Democratic Party Chairman Martin Lee believed that the name list was provided by the (PRC) central government.

The Hong Kong Human Rights Watch issued statement: The organization criticized the HKSAR government's moves seriously damaging Hong Kong's high degree of autonomy.

2001.5.23

Min Pao

Kenneth S. K. Lau, associate director of the Hong Kong Institute of Asia-Pacific Studies of the Chinese University of Hong Kong, said the move has damaged the implementation of "one country, two systems."

2001.5.22

Chief Executive: Falun Gong a mixture of evil sect and political group. In an interview with the United Press International, HKSAR Chief Executive Tung Chee-hwa said Falun Gong is "a mixture of evil sect and political group,"

which his government must guard against.

Democratic Party councilors said the chief executive's attitude toward Falun Gong is not compatible with the rule of law.

Chief executive: Falun Gong is an evil sect. Chief Executive Tung Chee-hwa, answering interpellation in the Legislative Council, clearly stated that Falun Gong is an evil sect, which his government will watch closely.

Democratic Party councilors criticized the chief executive for damaging the "one country, two system." Councilors Margaret Ng and Martin Lee criticized that chief executive's judgement of Falun Gong as an evil sect was simply based on China's domestic laws without any substantiation. They said the chief executive's serious accusation not only undermined Hong Kong's rule of law but also the implementation of "one country, two systems."

2001.5.22

2001.5.23

Apple Daily

2001.6.15

Hong Kong
Economic

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| | | | <u>Journal</u> |
| | 2001.6.14 | | |
| 123 | 2001.5.8 | <p><u>The HK Police revised the Public Order Ordinance arbitrarily. According to the Public Order Ordinance, assembly with more than 50 persons or parade with more than 30 persons must be notified to the police seven days before the schedule, and can be held when no objection is given from the police. Groups which had originally planned to assemble or march during the period when the Global Fortune Forum was held found that the police arbitrarily revised the Ordinances to stipulate that only parades with no more than 20 persons would be allowed.</u></p> <p><u>The Zhengming Monthly believed that the HK police revised the ordinance in view of upcoming arrival and visit by PRC President Jiang Zemin. The magazine criticized Hong Kong falling to be a feudal society with the king's words as the law.</u></p> <p><u>The HK police used force against peaceful demonstrators during the Fortune Global Forum meetings. Those who staged peaceful demonstration in places distant from the meeting venue of the Fortune Global Forum or public places were confiscated of their placards or subdued by force.</u></p> <p><u>The HK police have been generally criticized for abuse of power and for restrictions on the citizens' freedom and rights, tarnishing Hong Kong's international image.</u></p> <p><u>The HKSAR Government said the security measures during the Global Fortune Forum meeting were necessary and adequate.</u></p> | <p>2001.6</p> <p><u>Zheng-ming Monthly</u></p> <p>2001.5.9</p> <p><u>Apple Daily</u></p> |

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| | | | 2001.5.10 <u>Government Press Release</u> |
| 124 | 2001.5.29 | <p><u>The PRC rejected US ship's port call.</u> The PRC Ministry of Foreign Affairs Spokesman Zhu Bangzao said the Beijing government, after weighing various factors, decided to reject the USS Inchon's port call to Hong Kong. He refused to elaborate.</p> <p><u>The media speculated that this decision was linked to the crash between U.S. and PRC military airplanes, Washington's arms sales to Taiwan, and the White House's approval for ROC President Chen Shui-bian to stop over in the states on way to visit the Latin America.</u></p> | 2001.5.30 <u>China Times, United Daily News</u> |
| 125 | 2001.5.30 | <p><u>TVB and ATV adjusted treatments of Taiwan news.</u> The Television Broadcasts Ltd. (TVB) and the Asia Television Ltd. (ATV), in their news reports of President Chen Shui-bian's visit to Latin American countries, changed their routine reference of Chen as "the Taiwan president" to "[the] Taiwan leader." TVB News Department said it was only a minor change of reference, not a result of political pressure.</p> <p><u>TUC representatives lodged protest to the two TV stations.</u> Six representatives of the Hong Kong and Kowloon Trades Union Council (TUC), which has been friendly to Taiwan, called on TVB and ATV to lodge protest of this treatment. TUC Chairman Lee Kwok-keung accused the change of title a move of self-censorship and asked the two media to remain independent and politically unbiased.</p> | 2001.5.31 <u>Oriental Daily News</u> |
| 126 | 2001.5.30 | <p><u>The "Chief Executive Election Bill" may entitle Beijing to remove the chief executive under any circumstance</u> The HKSAR government has forwarded the draft "Chief Executive Election Bill" to the Legislative Council for review. The bill, now pending LegCo review, may empower the Beijing government to remove the chief executive under any circumstance, irrespective of the stipulations under the Basic Law.</p> | 2001.5.31 <u>Min Pao</u> |

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| | | <p><u>LEGCO: the bill impairs HKSAR's autonomy.</u> A few legislative councilors called the bill "lawless and reckless" that may seriously impair the HKSAR's autonomy. The Beijing government may remove the chief executive without any justification, should the bill be adopted.</p> | |
| 127 | 2001.6.4 | <p><u>World Press Association Chairman accused the PRC lacking freedom of press and expression.</u> Roger Parkinson, chairman of the World Press Association, speaking at the annual conference held in Hong Kong, accused Mainland China for lacking freedom of press and expression. At least 28 Mainland journalists remained incarcerated, and Timothy Balding, president of the association, was denied entry.</p> <p><u>The chief executive immediately rebutted the accusation:</u> HKSAR Chief Executive Tung Chee-hwa said China is now in the most liberal years throughout the Chinese history, and the Beijing leadership is most open-minded and active regime in the Chinese history as well.</p> <p><u>Tu Ying-ming: the chief executive's remarks constitute a barrier in press freedom.</u> Political commentator Tu Ying-ming, in an article published in the Min Pao, said the chief executive might be excused of mindlessly making such remarks should he only intend to defend the Beijing government. If the chief executive actually believed in what he had said, he not only has wrong perception but also is stupid enough to mislead the general public, Tu said. Tung's remarks have become a barrier in freedom of press, Tu added.</p> | 2001.6.5 <u>Min Pao</u> |
| 128 | 2001.6.10 | <p><u>Three travel agencies were accused of describing Taipei the "capital of Taiwan."</u> Hong Ta Travel Agency, Wing An Travel Agency, and Miramar Travel Agency were accused of describing Taipei as the "capital of Taiwan" in their promotion brochure. The three were accused of "splitting the nation's territory" and fueling "Taiwan independence."</p> <p><u>The three said no political intention in such description.</u> The three travel agencies, acknowledging this being a careless mistake, said they will either retract those brochures or revise the contents. They argued that the term, being a common reference, was not chosen for political reasons.</p> | 2001.6.11 <u>Oriental Daily News</u> |
| 129 | 2001.6.13 | <p><u>The HKSAR government suggested that the Taiwan contemporary history be included in the fourth and fifth grade of high school history education.</u> While revising the history textbooks for the fourth and fifth graders in high school, the HKSAR government is considering to include the contemporary history of Taiwan with clear reference of Taiwan being a part of "China."</p> | 2001.6.14 <u>China Times</u> |

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| | | <p><u>A few scholars expressed their worries that high school curricula could be politically influenced.</u></p> | |
| 130 | 2001.6.15 | <p><u>DPP Chairman Frank Hsieh failed to obtain Hong Kong visa.</u> Frank Hsieh, mayor of Kaohsiung city and chairman of the Democratic Progressive Party (DPP), applied for visa to visit Hong Kong in mid-June to observe public administration and subway management, but failed to obtain visa.</p> <p><u>Frank Hsieh scrapped his plan of visiting Hong Kong.</u></p> <p><u>The HKSAR government refused to comment on specific visa application case.</u></p> | 2001.6.16 <u>Hong Kong Economic Daily</u> |