

China’s Violation of Its Promises Regarding the Implementation of the “One Country, Two Systems” Formula in Hong Kong

Items	Promises	Cases of Violations
<p>1. Hong Kong people ruling Hong Kong</p>	<p>Deng Xiaoping met with a delegation composed of members from the industrial and commercial sectors in Hong Kong and well-known Hong Kong figures including Sir Sze-yuen Chung on June 22 and 23, 1984, respectively, and proclaimed the “one country, two systems” policy during both meetings and proposed the idea of “Hong Kong people ruling Hong Kong.”</p>	<ul style="list-style-type: none"> ■ China initiated its arguments over “love for the country and for Hong Kong” by indicating that “Hong Kong people ruling Hong Kong” should mean the administration of Hong Kong affairs with patriots forming the main body of administrators, which criticized democratic advocates for being unpatriotic (<i>The Sun</i>, 2004.2.13, A10). ■ Tung Chee-hwa delivered his Policy Address indicating that during his duty visit to Beijing, Hu Jintao personally instructed him to consult "Central Government" on relevant political reform issues (<i>Oriental Daily</i>, 2004.01.08).
<p>2. High degree of autonomy</p>	<p>Article 2 of Hong Kong’s Basic Law stipulates that, “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.”</p>	<ul style="list-style-type: none"> ■ Qian Qichen, Vice Premier of China’s State Council, wanted the Hong Kong civil servants to support the reelection of Tung Chee-hwa (<i>Hong Kong Economic Journal</i>, 2000.9.27). ■ China’s State Councilor Tang Jiaxuan indicated that the political neutrality observed by civil officials is “a British practice” (<i>Hong Kong Economic Journal</i>, 2003.10.17). ■ Based on the 2nd interpretation of the Basic Law by the Standing Committee of the National People’s Congress in 2004, it was decided that there would be no direct elections for the Chief Executive and the members of the Legislative Council in Hong Kong before 2008. The U.S. and the U.K. released statements denouncing China’s failure to carry out a “high degree of autonomy (for Hong Kong)” as

		<p>guaranteed in the Sino-British Joint Declaration, which has resulted in the erosion of the Basic Law (<i>Hong Kong Economic Journal, Oriental Daily</i>, 2004.04.27).</p> <ul style="list-style-type: none"> ■ The Liaison Office of the Central People's Government in Hong Kong Special Administrative Region warned Hong Kong businessmen in China and their family members to refrain from supporting candidates fielded by democratic groups (<i>Hong Kong Economic Journal</i>, 2004.5.14; <i>Apple Daily</i>, 2004.8.5), and interfered in the coordination within the pro-China groups to decide on the final candidate line-up and distributed lists containing recommended candidates (<i>Hong Kong Economic Journal</i>, 2004.8.16; <i>Hong Kong Economic Times</i>, 2006.12.21). ■ Hong Kong Legislator Emily Lau Wai-hing proposed a motion at a legislative session demanding that "the Central Government" refrain from interfering in the internal affairs of the Hong Kong Special Administrative Region (<i>Ming Pao</i>, 2006.12.21).
<p>3. Economic freedom</p>	<p>Article 5 of Hong Kong's Basic Law stipulates that, "The socialist system and policies shall not be practised in the Hong Kong Special Administrative Region, and the previous capitalist system and way of life shall remain unchanged for 50 years."</p>	<ul style="list-style-type: none"> ■ James Tien Pei-chun, Chairman of Hong Kong's Liberal Party, indicated that, "the sinicization of Hong Kong" would trigger suspicions among international investors (<i>Sing Tao Daily</i>, 1999.01.05). ■ Hong Kong legislator James To Kun-sun called in question whether the Independent Commission Against Corruption (ICAC) has the courage to investigate Chinese-funded institutions, because the ICAC may fear displeasing the "Central Government" and it may even enter into

		<p>clandestine agreements with China (<i>Apple Daily</i>, 2000.03.25).</p> <ul style="list-style-type: none"> ■ He Chi-ming, Deputy Director of the Taiwan Affairs Department of the Liaison Office of the Central People's Government in Hong Kong Special Administrative Region, warned Hong Kong businessmen not to trade with those Taiwanese businessmen advocating "Taiwanese independence" or they would have to take sole responsibility for the consequences (<i>Hong Kong Economic Journal</i>, 2000.06.01). ■ PCCW successfully purchased Cable & Wireless HKT, which was reported to have resulted from China's assistance (<i>Hong Kong Economic Journal</i>, 2000.03.28); in 2006, the company intended to sell assets, but was blocked by China (<i>Ming Pao</i>, 2007.1.1).
<p>4. Independent judicial power</p>	<p>Article 2 of Hong Kong's Basic Law stipulates that, "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."</p> <p>Article 19 stipulates that, "The Hong Kong Special Administrative Region shall be vested with independent</p>	<ul style="list-style-type: none"> ■ Sally Aw Sian, chairman of Sing Tao Holdings, was involved in a fraud case, but failed to be prosecuted by the Secretary of Justice Elsie Leung Di-sie. The media suspected that Aw escaped investigation and charges due to her pro-China stance (<i>Apple Daily</i>, 1998.3.18, 1999.2.28). ■ The Zhang Ziqiang case in November 1998, the Su Zhiyi case in April 2000, and the incident in December 2003 in which China's public security personnel who crossed border to enforce the law were unknowingly arrested by Hong Kong police had triggered the debate regarding the damage to the independence of Hong Kong's judicial power (<i>Apple Daily</i>, 1998.11.12; <i>Sing Tao Daily</i>, 2000.4.24; <i>Hong Kong Economic Journal</i>, 2003.12.3)

	<p>judicial power, including that of final adjudication.”</p>	<ul style="list-style-type: none"> ■ The Standing Committee of China’s National People’s Congress made its first interpretation of Hong Kong’s Basic Law, overthrowing the decision of Hong Kong’s Court of Final Appeal; this had triggered criticism from various sectors in Hong Kong and the international community regarding the damage to final adjudication in Hong Kong (<i>Apple Daily</i>, <i>Hong Kong Economic Journal</i>, <i>Ming Pao</i>, 1999.6.27-30).
<p>5. Human rights and freedom</p>	<p>Article 4 of Hong Kong’s Basic Law stipulates that, “The Hong Kong Special Administrative Region shall safeguard the rights and freedoms of the residents of the Hong Kong Special Administrative Region and of other persons in the Region in accordance with law.”</p>	<ul style="list-style-type: none"> ■ The home visit permits of pro-democracy individuals were not released or were confiscated. ■ The Hong Kong SAR government blocked exchanges between Hong Kong residents and overseas Chinese pro-democracy dissidents (<i>Hong Kong Economic Journal</i>, 1999.4.22, 2001.1.30; <i>Hong Kong Economic Times</i>, 2002.4.15), government officials or important individuals from Taiwan, and Falun Gong practitioners (<i>Sing Tao Daily</i>, 2000.6.29, <i>Hong Kong Economic Journal</i>, 2001.5.6, <i>The Sun</i>, 2002.7.1) by refusing to issue them visas. ■ China refused to allow the Pope to visit Hong Kong for the reason that the Vatican maintains diplomatic relations with Taiwan (<i>Hong Kong Economic Journal</i>, <i>Apple Daily</i>, 1999.8.10). China expressed dissatisfaction over the Vatican’s canonization activities without prior consultations, and obstructed exchanges between religious believers in China and in Hong Kong (<i>Apple Daily</i>, 2000.10.11). ■ Hong Kong residents took to the streets in protest after the Hong Kong SAR government proposed the consultation

		<p>paper on the legislation of Article 23 of the Basic Law; more than 500,000 people joined the demonstration, which caused much concern from the international community. The Hong Kong SAR government finally withdrew the draft bill (<i>Hong Kong Economic Journal</i>, 2003.7.2).</p>
<p>6. Freedom of the press and of speech</p>	<p>Article 27 of Hong Kong's Basic Law stipulates that, "Hong Kong residents shall have freedom of speech, of the press and of publication; freedom of association, of assembly, of procession and of demonstration; and the right and freedom to form and join trade unions, and to strike."</p>	<ul style="list-style-type: none"> ■ Hong Kong film distributors restricted themselves from purchasing three movies about the Dalai Lama and Tibet (<i>United Daily News</i>, 1997.10.20). ■ The program "Howling Wolves on Sky Mountain" on Xinjiang independence that won the Human Rights Press Awards was banned from showing in Hong Kong (<i>Liberty Times</i>, 1998.6.16). ■ Chinese officials restricted Hong Kong reporters from asking sensitive questions like the thoughts of Zhu Rongji on demonstrations staged against him (<i>Hong Kong Economic Journal</i>, 1998.4.8) and whether Jiang Zemin has personally handpicked Tung Chee-hwa for reelection (<i>Hong Kong Economic Journal</i>, 2000.10.28). ■ Qian Qichen, deputy premier of China's State Council, indicated that Cheng An-kuo, Taiwan's representative in Hong Kong, expressed the opinion promoting "Two States Theory" in the "Letter from Hong Kong" program on Radio Television Hong Kong (RTHK), which had violated the principle of "Qian's seven-point Statement" and led to the transfer of the Hong Kong official taking charge of RTHK to another post (<i>Apple Daily</i>, 1999.8.20; <i>Sing Tao Daily</i>, 1999.10.20). ■ Hong Kong Cable Television Limited

		<p>broadcasted an exclusive interview with Taiwan's Vice President Annette Lu. Wang Fengchao, Deputy Director of the Liaison Office of the Central People's Government in Hong Kong Special Administrative Region, warned the Hong Kong media not to disseminate or advocate views on "Two States Theory" and "Taiwanese independence" (<i>Wen Wei Po</i>, 2000.4.13).</p> <ul style="list-style-type: none">■ "Hongkong.com" blocked commentary regarding "Taiwan independence" and "Tibet independence" (<i>Apple Daily</i>, 2000.4.30).■ Willy Wo-Lap Lam, editor of the China Desk of the South China Morning Post, was replaced for writing articles criticizing Beijing's intervention in the election of Hong Kong's Chief Executive (<i>Hong Kong Economic Journal</i>, 2000.11.3).■ Paul Cheung, managing editor for Hong Kong and international news of Metro Finance, was dismissed for airing reports regarding the Hong Kong government's tough actions against the Falun Gong (<i>Hong Kong Economic Journal</i>, 2002.8.17).■ A Radio Television Hong Kong program "Headliner" caused the ire of pro-China individuals and was banned from airing for discussing and assessing current events (<i>Hong Kong Economic Journal</i>, 2000.9.29).■ Radio commentators and program hosts Albert Cheng Jinghan, Raymond Wong Yuk-man, and Ng Chi-sum were banned or transferred to less preferable time slots for criticizing China. Radio host Allen Lee Peng-fei also resigned due to political
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