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Eight Years After Hong Kong's Handover: An Analysis

- The Chinese government fully controls the political situation in Hong Kong.
- The economy showed signs of improvement despite stagnation in democratic reform.
- Donald Tsang Yam-kuen succeeded as the new Chief Executive of Hong Kong. He faces a challenging task in managing China-Hong Kong relations and promoting democracy in Hong Kong.
- Frequent interpretation of the Basic Law by the National People's Congress (NPC) undermined rule of law in Hong Kong.
- China's intervention in Hong Kong affairs has led to international concern about the feasibility of "one country, two systems."
- Civilian exchanges between Taiwan and Hong Kong remain active, while official relations are developing slowly.
- The 163 reported controversies tested China's promise to keep Hong Kong "unchanged for 50 years."

This July marks the eighth year of Hong Kong's handover. The Chinese government's intervention in Hong Kong affairs has become more apparent in the last year due to the July 1st march. As a result, the situation in Hong Kong last year was different from those of previous years. The Chinese government adjusted its Hong Kong strategy, and reorganized the departments and personnel responsible for Hong Kong affairs. It used the National People's Congress (NPC) interpretation of the Basic Law to restrict the scope and timetable of political reform. It also tightened its control over Hong Kong's political situation by intervening in the Legislative Council election and by-election of the Chief Executive, consolidating pro-China factions, as well as enticing and dividing the pro-democratic forces in Hong Kong.

At the same time, the Chinese government has continued to promote measures to boost Hong Kong's economy. Some measures promoted by Beijing and HKSAR government have benefited from the global economic upturn. Economic indexes in Hong Kong improved due to the lower bases

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for comparison in 2003, which reduced the dissatisfaction of the Hong Kong people. In addition, Hong Kong residents' expectation of the popular Chief Executive Donald Tsang Yam-kuen has led to stagnation in Hong Kong's democratic reform.

At this stage, Tsang succeeds as Chief Executive under better administrative condition. However, it will be a big challenge for him to safeguard Hong Kong's autonomy and simultaneously win the trust of the Chinese government.

Trade and personnel exchanges between Taiwan and Hong Kong have remained active since the handover. Hong Kong people have shared Taiwan's experience in democratic development through visits to Taiwan. However, official relations between Taiwan and Hong Kong await improvement. In the future, the government will improve mutual interaction and understanding with Hong Kong, and enhance its services for Taiwanese residing in Hong Kong.

The following is an analysis of the general situation in Hong Kong from July 2004 to June 2005:

I. The Chinese government fully controls the political situation in Hong Kong.

Under the Chinese government's persistent tight control in the past year, political situation in Hong Kong underwent tremendous changes. These included: pro-democratic forces' inability to win the majority seats during the Legislative Council election; increasing political differences within the pro-democratic forces; the NPC Standing Committee interpreted the Basic Law for the third time; and former Chief Executive Tung Chee-hwa was succeeded by Donald Tsang Yam-kuen.

The Chinese government forcibly intervened in Hong Kong affairs and impeded democratic reform. Pro-democratic forces had planned to integrate the forces that have called for democratic reform since 2002. In addition, they had hoped to win the majority seats in the Legislative Council during the September 2004 election. During the election, however, many Hong Kong people complained of being threatened by China and pro-Chinese camps to lend support to specific candidates; otherwise, their right to work and operate business would be jeopardized. Furthermore, the Chinese government enacted measures to boost Hong Kong's economy before the election, and overtly intervened in matters related to the consolidation of pro-Chinese political parties and candidates. As a result, despite winning more than 60 percent of the votes, the pro-democratic forces were unable to win the majority seats.

The Chinese government intervened in the election of the new Chief Executive to tighten

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control over the political situation. Tung Chee-hwa was elected to a second term as Chief Executive in 2002. His term was to expire in 2007, but he resigned in March 2005. Donald Tsang Yam-kuen, the former Chief Secretary for Administration, won the by-election to become the new Chief Executive. Although Tung cited health reasons for his resignation, the abruptness of Tung's resignation has led to many speculations in the political circle. There were also disagreements in the media about the tenure of the Chief Executive elected through by-election. The Hong Kong SAR government in April 2005 subsequently requested for an NPC interpretation of the Basic Law. This was the second time the Basic Law was "interpreted" in one year since the April 2004 "interpretation." Hong Kong law and political scholars said the legal basis for the interpretation was insufficient. They believed that once such interpretations become a norm, the Hong Kong people would lose their confidence in the Basic Law and would undermine the rule of law. During the by-election, Beijing also disclosed that it favored Tsang, a move meant to discourage potential candidates.

As the newly sworn-in Hong Kong Chief Executive, Tsang faces great challenges. The new Chief Executive was not elected through a general election but through nominations and ballots of an 800-member election committee. After the deadline for nomination, Tsang, who was backed by the Chinese government, received 714 nominations and support and automatically became eligible for the top office. The media considered the election process undemocratic and voiced concerns over Tsang's ability to shed the stereotype image of him as a former official of the British colonial administration. The media is likewise concerned about Tsang's ability to achieve a balance between promoting Hong Kong's interests and upholding the "two systems" principle, as well as manage China-Hong Kong relations and political reform issues in Hong Kong.

II. The economy showed signs of improvement despite stagnation in democratic reform.

The performance of the Hong Kong economy has declined after the Southeast Asian financial crisis. It has shaken the confidence of the Hong Kong people in the future of their economy. Unemployment rate remained high despite slight improvement of the economy after 2002. The economy suffered another setback in the second quarter of 2003 due to the SARS outbreak, but it slowly stabilized after the third quarter.

The Hong Kong economy performed better in 2004. According to Hong Kong SAR government statistics, the economy grew by 8.1 percent in 2004, which was the highest in the past four years and higher than the 4.8 percent average growth in the past 20 years. This shows that Hong Kong's economy has continued to be on the upswing. Unemployment rate in

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2004 was 6.8 percent, the lowest in the past three years. Moreover, 68 months of deflation ended in July 2004 due to increased consumption demands; a moderate inflation is thus forecasted for the future.

China and Hong Kong entered into the Closer Economic Partnership Agreement (CEPA) in 2003. China also allowed some urban residents to visit Hong Kong on “personal tours.” These measures continue to improve the economic integration between China and Hong Kong. Under the CEPA framework, China has continued to enact measures to boost Hong Kong’s economy in 2004. In addition to expanding the scope of “personal tours,” China also signed supplemental agreements of CEPA with Hong Kong and simplified procedures for Chinese investments in Hong Kong. Except for the immediate economic benefits from the “personal tours,” other Chinese measures have not showed significant results and will require long-term observations.

The Hong Kong government remains cautiously optimistic about the economic performance in 2005, and forecasts a growth from 4.5 to 5.5 percent. In comparison, financial institutions, forecast a growth of approximately four percent. It is believed that a sustained booming tourism industry and increased personal consumption expenditures can help Hong Kong’s economic performance this year. However, slower growth rate in the global economy this year, China’s macro-economic control as well as high oil prices might adversely affect economic development.

Public opinion surveys show that with the recovering Hong Kong economy, the Hong Kong people have become more concerned about economic issues rather than political issues. They also had expectation of Tsang’s capability. However, their expectation of the new Chief Executive has caused further stagnation in the democratic reform in Hong Kong.

III. The independent judiciary system faces constant challenges.

An independent and impartial judiciary system is the foundation of Hong Kong’s economic stability and prosperity. Although the Hong Kong courts were determined to safeguard their autonomy, they were nevertheless restrained by NPC Standing Committee’s interpretation of the Basic Law. The Court of Final Appeal in Hong Kong recently decided that it is unlawful for the police to arrest and detain Falun Gong members who had staged a peaceful protest rally in front of the Central Government Liaison Office and were charged with “obstructing the streets.” The decision demonstrated the determination of the judiciary to safeguard the freedom of assembly and procession in Hong Kong. The public praised the court’s decision.

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Since the handover, controversies have challenged the impartiality and authority of Hong Kong's judiciary system, and undermined public trust in the system. The concerns were that most of these controversies were related to China. These include: the non-prosecution in the Sally Aw case and the case involving violations of the Privacy Ordinance by the Hong Kong office of the Xinhua News Agency; the NPC interpretation of the Basic Law, which overturned the decision of the Court of Final Appeal in relation to the right of abode of children in the mainland born out of wedlock by Hong Kong residents; categorizing the Hong Kong branch office of Xinhua News Agency as a national agency, thus exempting it from a number of Hong Kong laws; China's public security personnel crossing the border for law enforcement; and the need to consult China prior to the legislation of Article 23 of the Basic Law. All these undermined the credibility of an independent Hong Kong judiciary. Some international observers indicated that political intervention had affected rule of law in Hong Kong, as well as the business environment and the opinions on the quality of Hong Kong's rule of law.

The NPC interpretation of the Basic Law drew the most attention. According to China's Constitution and the Basic Law, the NPC Standing Committee has the ultimate power to interpret the Basic Law. The Standing Committee can accept requests to interpret laws, such as the interpretation of the law on the right of abode in June 1999 and on the tenure of the Chief Executive in April 2005. On the other hand, the Standing Committee can initiate the interpretation of a law, such as in April 2004 when the Committee interpreted the law on the timetable for general election. The NPC has interpreted the Basic Law three times in the past eight years since the handover. Such high frequency of law interpretation does not contribute to the stability of the Basic Law. Instead, it undermines the powers of final adjudication and autonomy afforded to Hong Kong courts by the Basic Law.

IV. Human rights development is impaired.

After the handover, the Hong Kong media has been able to criticize the Chinese and Hong Kong governments, and the people have been able to protest against the Chinese or Hong Kong government through assemblies and demonstrations. However, substantial changes are taking place. Chinese government officials launched a patriotism campaign, where the pro-democratic forces' campaign for democracy was perceived as advocating Hong Kong independence and sabotaging Hong Kong-China relationship. Legislator Emily Lau was also criticized for supporting Taiwan's choice of its own destiny. Pro-democratic individuals were physically attacked on the streets and program hosts who supported democratic movement were threatened and their programs were taken off the air. No insurance companies would

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provide coverage for democratic activities, which made the rental of venues and permit applications for democratic campaign activities difficult.

Some owners of Hong Kong media companies were appointed members of the “Political Consultative Conference,” and Chinese investors continued to purchase shares of Hong Kong media companies. These actions have restricted media reports. In particular, “self-censorship” became evident in media reports on political dissidents and Falun Gong activities, as well as political news on Taiwan, Xinjiang, and Tibet. The Independent Commission Against Corruption (ICAC) searched and collected evidences from seven newspaper agencies last year. ICAC also invited media personnel to its headquarters to assist in investigations. Despite obeying the law, ICAC's actions were criticized as inappropriate and an encroachment on freedom of the press. The incidents also attracted international attention.

An incident involving China-Hong Kong relations tested the freedom of the press in Hong Kong. Ching Cheong, a Hong Kong journalist employed by the Strait Times of Singapore, was arrested by the Chinese government because he was the first journalist to divulge news reports about Zhao Zhiyang. The Hong Kong media, political circle, and scholars pointed out that the incident implied that if the legislation of Article 23 of the Basic Law were passed into law, the media could be charged with violation of the law for “divulging state secrets,” and freedom of speech and the press in Hong Kong would be severely undermined. At the same time, new Chief Executive Donald Tsang publicly announced in June that Radio Television Hong Kong, a state-operated station, should not broadcast certain types of programs, and that stipulations in Article 23 of the Basic Law proposed in 2002 were too lenient and unsuitable for practical purposes. The remarks drew public concern to whether or not the Hong Kong government would interfere with the editorial freedom of broadcast stations and reinstate the legislation of Article 23 in the future.

- V. The international community is concerned about the development of democracy in Hong Kong.

The international community remains confident in Hong Kong’s investment environment. In March, U.K.-based Economist Intelligence Unit (EIU) ranked Hong Kong as the fifth favorable business environment in the world and the second most favorable in Asia.

In accordance with the Basic Law, Hong Kong can continue to independently develop foreign relations after the handover. Currently, there are 56 consulate generals, 55 honorary consulates, and five officially recognized foreign representatives in Hong Kong. One hundred thirty-four

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countries or areas grant visa-free access to HKSAR passport holders.

The U.K., U.S., European Union, and international risk assessment organizations also regularly publish reports on Hong Kong's situation. The reports focus on issues such as Chinese intervention in Hong Kong affairs, China's acquisition of military secrets of advanced countries through Hong Kong, and the independence of the judiciary and democratic development in Hong Kong. In general, the reports were concerned about Beijing's intervention in Hong Kong's autonomy and violation of the rule of law and human rights in Hong Kong. Last year, the U.K. and U.S. released statements showing their concerns over issues such as the removal of popular radio program hosts, the July 1st march, search of news agencies by the ICAC, NPC interpretation of the Basic Law, general election timetable, and the Ching Cheong incident.

The U.S. used the "canary in the mineshaft" analogy to indicate that successful political reform in Hong Kong would benefit democratic development in other areas of China. Conversely, if Beijing arbitrarily suppresses democratic development in Hong Kong, there would be instability. The U.S. even indicated that a regression in the democratic development of Hong Kong would affect the development of the China-U.S. relations.

VI. There was frequent interaction between China and Hong Kong.

Personnel exchanges, trade cooperations, connections in infrastructure facilities, and social developments between China and Hong Kong have become more frequent since the handover. In August 2004, Chen Zuoer, Deputy Director of the Hong Kong and Macao Affairs Office, stated publicly that on the Hong Kong issue, "China will not give way, and the Central People's Government will not relinquish its hold, not in the past, present, or future." Chen's remarks showed that Beijing intends to tighten its control over Hong Kong.

Chinese and Hong Kong officials exchange frequent visits. Chinese government even arranged training visits to China for Hong Kong civil servants to enable them to better understand the "national situation." Statistics from the Hong Kong SAR government show that there were 1559 official visits from Hong Kong to China in 2004, up from 1101 visits in 2003. On the other hand, there were 1143 official Chinese visits to Hong Kong in 2003, and 1,642 visits in 2004. The number of visits has increased compared to the previous year. The effects of these visits on the civil service system and rule of law on both sides are worth our attention.

China continues to allow its nationals to visit Hong Kong, thus putting them in first place in

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the number of tourists visiting the HKSAR. According to statistics of the Hong Kong government, tourists from China accounted for 29 percent of tourists to Hong Kong in 2000. In 2004, the number rose to 56.1 percent. Chinese tourists spent HK\$38.6 billion in 2004, up from their HK\$28.8 billion spending in 2000. These figures accounted for 55 percent and 49 percent of the tourist spending in Hong Kong, respectively.

Closer ties between China and Hong Kong have created new social problems in Hong Kong. According to statistics from the Hong Kong Security Bureau, 2123 Chinese two-way permit holders were arrested in Hong Kong in 2003. This number rose to 2263 in 2004, an increase of 6.6 percent. A report published by Political and Economic Risk Consultancy indicated that cross-border crimes resulting from China-Hong Kong integration has attracted the attention of people overseas. Scholastic research also showed that the increase in number of mainlanders arriving in Hong Kong have contributed to the problem of resource distribution in Hong Kong, which could lead to conflicts and animosity between the people of Hong Kong and China.

VII. Civic exchanges between Taiwan and Hong Kong remain active, while official interactions require further improvement.

Civic exchanges between Taiwan and Hong Kong have remained active since the handover, but official relations have developed slowly. On average, Taiwanese people have made more than 2.07 million visits to Hong Kong annually during the past five years, making them the second largest group of visitors to Hong Kong. The visits by Hong Kong people to Taiwan have also increased since 1997, with more than 300,000 visits on average annually. The number decreased in 2003 because of the SARS epidemic. The Taiwan government has also continued to improve immigration measures for Hong Kong and Macao residents visiting Taiwan. For instance, beginning on January 1st, 2005, Hong Kong and Macao residents can apply for entry permits to Taiwan through the Internet. The Taiwan-Hong Kong flight route is also one of the busiest in the world, with a total of 63,162 flights between the two destinations each year.

In 2004, trade between Taiwan and Hong Kong totaled more than US\$31.9 billion. Hong Kong was Taiwan's third largest trading partner, and Taiwan was Hong Kong's fourth largest trading partner. Cross-Strait trade via Hong Kong was more than US\$17.2 billion in 2004. In addition, 14 Taiwan-capital banks opened branches or subsidiaries in Hong Kong, and at least 31 Taiwan-capital companies are listed in the Hong Kong stock market.

To enable the Hong Kong people to better understand Taiwan's experiences in freedom,

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democracy, and globalization, the Mainland Affairs Council (MAC) has promoted judicial assistance to crack down in crime. In addition, MAC has invited people from all sectors in Hong Kong to visit Taiwan and observe local elections, in order to understand and experience first-hand the diverse democratic development and the open, liberal economy in Taiwan.

Since July 1st, 2002, the Constitutional Affairs Bureau of the Hong Kong SAR government has been responsible for communicating with Taiwan's representative office in Hong Kong with regard to Taiwan-Hong Kong affairs. However, interaction between the two agencies has not been smooth. Last year, after five months of postponement, the Hong Kong government issued a work permit to Pao Cheng-kang, Taiwan's de facto Representative to Hong Kong, which was a small improvement in mutual interaction. Further breakthroughs were made later in dealing with emergencies and communications of the tourist bus accident in Jioufen, Taipei County. However, the Hong Kong SAR government later refused to issue an entry permit to Taipei City mayor, and denied Pao Cheng-kang's request to enter the airport VIP room to greet the chairman of Taiwan's opposition political party who made a transit stop in Hong Kong. This showed that the Hong Kong government is self-limiting, which is detrimental to Taiwan-Hong Kong relations.

Post-1997 Hong Kong Unchanged for 50 years?

Freedom? Human Rights? Rule of Law?

Controversies Following Hong Kong's Handover to China

(2004.7-2005.6) Total cases: 6

No.	Time	Event	Source
158	2004.7.24	<p><u>Hong Kong ICAC investigates news agencies and triggers controversy over the violation of press freedom.</u></p> <ul style="list-style-type: none"> ■ <u>Evidence collected by the Hong Kong government:</u> The ICAC believed that the media violated the Witness Protection Ordinance when they reported on corruption cases. After obtaining search warrants, the ICAC investigated seven newspaper companies in Hong Kong. ■ <u>Public criticisms over improper law enforcement:</u> Scholars, media, the Hong Kong Journalists Association, and the Newspaper Society of Hong Kong criticized the investigations by ICAC, claiming that the investigations had set a bad precedence and undermined freedom of the press. The newspaper companies sought administrative action and legal relief. ■ <u>International concerns:</u> The Committee to Protect Journalists said the ICAC raids were “unnecessary” and “violent.” It was concerned about Hong Kong’s 	<p>Apple Daily, 2004.7.25</p> <p>Apple Daily, Min Pao, Sing Tao Daily, 2004.7.28</p> <p>Apple Daily, 2004.7.28</p>

No.	Time	Event	Source
	2004.8.10	<p>freedom of the press.</p> <ul style="list-style-type: none"> ■ <u>Court decides ICAC is at fault</u>: Hong Kong's High Court decided that, although the ICAC had obtained search warrants, its action was wrong. 	Sing Tao Daily, 2004.8.10
159		<p><u>Chinese government intervenes in Hong Kong's third Legislative Council election and interferes with Hong Kong's autonomy.</u></p> <ul style="list-style-type: none"> ■ <u>Acting as mediator among pro-China candidates</u>: To prevent candidates from competing for the same votes, the Chinese authorities convinced candidates who were less likely to win but could weaken the solidarity of the vote to withdraw from the election. The Chinese authorities were especially effective in mediating in functional constituencies. ■ <u>Mobilization to support specific candidates</u>: The Chinese authorities mobilized organization members to register as voters to support specific candidates. It also warned Hong Kong businessmen in China and their relatives not to support pro-democratic candidates. Furthermore, it helped relevant professionals to establish the Hong Kong Development Forum, Hong Kong Business Economic Forum, and the Hong Kong Legal Forum to oppose pro-democratic forces. ■ <u>Influencing the media to directly or indirectly help candidates "who are patriots and who love Hong Kong"</u>: The Chinese authorities used the media to positively portray candidates "who are 	<p>Apple Daily, 2004.8.5</p> <p>Apple Daily, Hong Kong Economic Times, 2004.8.10, 8.17</p> <p>Min Pao, 2004.8.16</p>

No.	Time	Event	Source
		<p>patriots and who love Hong Kong.” They used negative reporting to criticize pro-democratic candidates in news reports, editorials, and forums.</p> <ul style="list-style-type: none"> ■ <u>Collection of slanderous evidences to attack pro-democratic forces:</u> Pro-China newspapers and publications collected relevant information and published timely information to attack pro-democratic candidates. 	<p>Hong Kong Economic Journal, 2004.8.26</p>
160	2004.6.17	<p><u>Hong Kong SAR government's decision not to prosecute China's public security personnel who had crossed the border has triggered controversy over jurisdiction.</u></p> <ul style="list-style-type: none"> ■ <u>China's Public security personnel crosses the border for law enforcement and triggers controversy:</u> Two persons who claimed to be China's public security personnel were “arrested” by Hong Kong police for allegedly carrying out “secret surveillance” on Mount Davis Road. Police commissioner Lee Ming Kwai indicated that law enforcement personnel from any place who wanted to investigate a case in Hong Kong must obtain assistance from the Hong Kong police. Otherwise, such action would be considered a violation of the law. If it is proven that China's public security personnel crossed the border to carry out investigation or enforce the law, then it would be in violation of the agreement of both sides, and the Hong Kong government would file a strong protest with China. Chief Executive 	<p>Hong Kong Economic Times, 2004.6.18</p>

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No.	Time	Event	Source
	2005.3.2	<p>Tung Chee-hwa supported the position of Hong Kong police.</p> <ul style="list-style-type: none"><li data-bbox="483 398 1062 707">■ <u>Hong Kong SAR government does not prosecute the relevant party</u>: The Hong Kong government did not prosecute the relevant persons due to lack of evidence to prove that they had committed criminal acts such as carrying weapons or loitering.<li data-bbox="483 734 1062 1451">■ <u>Legislators claim the government's decision undermines Hong Kong's jurisdiction</u>: Many legislators were not satisfied with the Hong Kong government's ambiguous stance. At the Panel on Security, legislators demanded that the Hong Kong government produce evidence to support its decision of non-prosecution. Legislators suspected that the Hong Kong government was protecting China's public security personnel. The final decision of the Panel was to request the Security Bureau to inform China that the Hong Kong people were greatly concerned about the incident.	Sing Pao Daily News, Ta Kung Po, Min Pao, 2005.3.2
161	2005.4.26	<p><u>Hong Kong SAR government acts inappropriately by preventing the Taiwan Representative in Hong Kong from greeting Lien Chan.</u></p> <ul style="list-style-type: none"><li data-bbox="483 1686 1062 2000">■ <u>Taiwan representative is denied entry into the restricted area at the airport</u>: When a Kuomintang delegation made a transit stop in Hong Kong on their way to China, Pao Cheng-kang, the Taiwan Representative in Hong Kong, was denied entry to the VIP room at the	

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No.	Time	Event	Source
		<p>airport to greet the delegation.</p> <ul style="list-style-type: none"> ■ <u>The Hong Kong SAR government highlights the specific characteristics of Taiwan's representative office</u>: The Secretary for Constitutional Affairs of the Constitutional Affairs Bureau claimed that the Taiwan's representative office is not an official organization. Therefore, it was not invited to join the welcoming affair. Donald Tsang Yam-kuen, Deputy Chief Executive of Hong Kong, indicated that he supported the Bureau's action. ■ <u>Media criticizes the Hong Kong government's action</u>: Newspaper editorials said the Hong Kong government's action only aggravated Taiwan's suspicion and dissatisfaction toward Beijing, as well as destabilized Taiwan-Hong Kong relations. 	<p>Min Pao, 2005.4.28</p> <p>Min Pao, Apple Daily, 2005.4.27</p>
162	2005.4.27	<p><u>NPC's third interpretation of the Basic Law once again encroached on Hong Kong's jurisdiction and autonomy.</u></p> <ul style="list-style-type: none"> ■ <u>Third interpretation of the Basic Law by the NPC</u>: The third interpretation of paragraph 2, Article 53 of the Hong Kong Basic Law was passed. The NPC determined that the tenure of the Chief Executive elected from a by-election should be the remainder of the previous Chief Executive. Should the office of the Chief Executive become vacant after 2007, the term of office of the new Chief Executive shall be determined in accordance with the regulations governing the selection of the Chief 	Ta Kung Po, 2005.4.28

No.	Time	Event	Source
		<p>Executive.</p> <ul style="list-style-type: none"> <li data-bbox="485 353 1070 1160">■ <u>More interpretations of the Basic Law will continue</u>: Pro-democratic forces were disappointed and extremely regretful about the NPC interpretation of the Basic Law. Democratic Party Chairman Lee Wing-tat said that the current interpretation utterly disregarded and violated the Basic Law and eroded Hong Kong's cornerstone. Lee believed the interpretation of the Basic Law by the NPC would continue. Philip Dykes, Chairman of the Hong Kong Bar Association, stressed that he resented the Hong Kong government for taking the initiative during court proceedings to forcibly request for the interpretation of the Basic Law by the NPC. <li data-bbox="485 1196 1070 2002">■ <u>The international community is concerned about the NPC interpretation of the Basic Law</u>: The U.S.-Hong Kong Policy Act Report of the Department of State indicated that people are worried about Beijing's attempt to restrict Hong Kong's democratic development by the interpretation of the Basic Law. The U.N. Committee on Economic, Social and Cultural Rights condemned the NPC interpretation of the Basic Law as inappropriate. It believed that the Hong Kong court had already carried out a judicial review of the length of the tenure of the Chief Executive. However, the Hong Kong SAR circumvented the court and asked the NPC Standing Committee to interpret the law instead. 	<p>Min Pao, Hong Kong Economic Journal, 2005.4.28</p> <p>Apple Daily, 2005.4.13; Hong Kong Economic Journal, 2005.4.30; Min Pao, 2005.5.26</p>

No.	Time	Event	Source
		<p>The action was deemed detrimental to Hong Kong’s rule of law, good governance, and high degree of autonomy. In its annual report, Amnesty International indicated that the NPC interpretation of the Basic Law has restricted Hong Kong’s freedom to promote political reform and caused all sectors to feel extremely concerned about increasing encroachments on human rights in Hong Kong.</p>	
163	2005.5.31	<p><u>China’s detention of Ching Cheong, a Hong Kong journalist employed by the Strait Times of Singapore triggers controversy over the “one country, two systems” principle.</u></p> <ul style="list-style-type: none"> ■ <u>China accuses Ching Cheong of espionage</u>: China’s “Ministry of Foreign Affairs” said that Ching Cheong’s case of espionage was reviewed by relevant departments in China. Information on the charges against Ching Cheong was later removed from the ministry’s web page. ■ <u>The Hong Kong SAR government claims to have provided assistance based on the “one country, two systems” principle</u>: Acting Chief Executive Henry Tang said that the Hong Kong government would provide assistance based on the “one country, two systems” principle. Secretary for Security Ambrose Siu-kwong Lee admitted that the Hong Kong government could not interfere with China’s law enforcement and judicial processes. 	<p>Sing Tao Daily, 2005.6.1, Apple Daily, 2005.6.2</p> <p>Sing Pao Daily News, 2005.6.2</p>

No.	Time	Event	Source
		<ul style="list-style-type: none"> <li data-bbox="483 309 1062 936">■ <u>Legislators suspect that the Hong Kong government did not exert enough effort to provide assistance</u>: The Panel on Security of the Legislative Council was not satisfied with the efficiency of the China-Hong Kong notification system. Thus it filed a motion to demand the Hong Kong government to inform the Central People’s Government of the Hong Kong people’s concern over Ching Cheong’s case. James To Kun-sun, Chairman of the Panel, said the incident undermined the “one country, two systems” principle. <li data-bbox="483 965 1062 1503">■ <u>Issue of the Hong Kong people's concern</u>: The Hong Kong Journalists Association, the international media, and Hong Kong human rights organizations initiated a signature drive to urge the early release of Ching Cheong. Scholars indicated that the Ching Cheong case revived the public’s fear for the legislation of Article 23 of the Basic Law. They believed that unless the case is resolved, Article 23 would not be suitable for legislation. <li data-bbox="483 1532 1062 1973">■ <u>The international community is concerned about freedom of the press in Hong Kong</u>: The spokesperson of the U.S. State Department said that the U.S. is monitoring any activity that obstructs the flow of information in Hong Kong. The U.S. believed the Ching Cheong case seriously affected freedom of the press in Hong Kong. The Singaporean and U.K. embassies in China have 	<p data-bbox="1091 309 1390 434">Wen Wei Po, Sing Tao Daily 2005.6.2; Min Pao, 2005.6.8</p> <p data-bbox="1091 965 1382 1137">Sing Tao Daily, 2005.6.2; Hong Kong Economic Journal, 2005.6.13</p> <p data-bbox="1091 1532 1342 1704">Hong Kong Daily News, Hong Kong Economic Times, 2005.6.2</p>

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No.	Time	Event	Source
		already contacted Beijing hoping to help resolve the case.	