



**Hong Kong
Human Rights
Monitor**

fidh

Fédération internationale des ligues des droits de l'Homme
International Federation for Human Rights
Federación internacional de los derechos humanos
الفدرالية الدولية لحقوق الانسان

Hong Kong : China's new attempt to undermine democracy

Paris – Hong Kong, 5 April 2004 : The International Federation for Human Rights (FIDH) and Hong Kong Human Rights Monitor (HKHRM) express their deepest concern at China's decision to interpret the Basic Law of Hong Kong. The FIDH and HKHRM believe that, by interpreting the Basic law, Chinese authorities aim at altering it. It is a new attempt to restrict the aspiration of the People of Hong Kong for more democracy and freedoms.

Hong Kong's Basic Law (Constitution) outlines the selection and formation methods of the Chief Executive and the Legislative Council for the first ten years after handover to mainland China (until 2007). The Basic Law says the ultimate aim is to choose the Chief Executive and all members of the Legislative Council by universal suffrage, but it provides neither timetable nor procedure for the whole process. Hong Kong people have expressed their demand for universal suffrage to elect the Chief Executive in 2007 and the whole legislature in 2008 by various means including massive and peaceful demonstrations.

The Standing Committee of the National People's Congress, China's top legislature, meeting from 2 to 6 April, has decided to consider the interpretation of Hong Kong's Basic law provisions relating to the method for selecting Hong Kong's Chief Executive after 2007 as well as the method for forming its legislative Council. *"This is a new tactic in order to reduce Hong Kong's autonomy and to defeat the strong calls for universal suffrage by Hong Kong people by way of such an interpretation"*, said Law Yuk-Kai, Director of HKHRM.

While the Hong Kong Bar Association and human rights groups agree that a true construction of the Basic Law allows Members of the Legislative Council to initiate reform proposals, a Hong Kong governmental body, the Constitutional Development Task Force, has suggested that the Basic Law should be interpreted to mean that Members of the Legislative Council cannot initiate any such reforms but the Chief Executive and the Standing Committee of the NPC. Such a monopoly on the initiation of reform proposals, together with the veto power by Beijing and Chief Executive Tung Chi-hwa render meaningless the constitutional review promised in the Basic Law.

"It is paradoxical that such an attempt takes place while the UN Commission on Human Rights, gathering in Geneva, is examining a resolution on the human rights situation in China", said Sidiki Kaba, President of the FIDH *"We urge China to fully respect the right of Hong Kong's people to free and fair election, as enshrined in Article 25 of the International Covenant on Civil and Political Rights, in force in Hong Kong since 1976. This is a key element of the "one country, two systems" principle"*.

The FIDH and HKHRM urge the Standing Committee of the National People's Congress to renounce to interpret Hong Kong's Basic Law.

For more information, see : http://www.hkhrm.org.hk/CR/index_eng.html

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