

108TH CONGRESS
1ST SESSION

H. RES. 277

Expressing support for freedom in Hong Kong.

IN THE HOUSE OF REPRESENTATIVES

JUNE 16, 2003

Mr. COX (for himself, Mr. DELAY, Ms. PELOSI, Mr. BLUNT, Mr. LANTOS, Mr. GOODLATTE, Mr. FALEOMAVAEGA, Mr. VITTER, Mr. WICKER, Mr. WILSON of South Carolina, Mr. BURGESS, Mr. KING of Iowa, Mr. KENNEDY of Minnesota, Mr. MARKEY, Mr. FRANK of Massachusetts, Mr. BARTON of Texas, Mr. STEARNS, Ms. ROS-LEHTINEN, Mr. ROYCE, Mr. SMITH of Michigan, Ms. HARRIS, Mr. WELLER, Mr. BURTON of Indiana, Mr. SHADEGG, Mr. LINCOLN DIAZ-BALART of Florida, Mr. MARIO DIAZ-BALART of Florida, and Mr. SESSIONS) submitted the following resolution; which was referred to the Committee on International Relations

RESOLUTION

Expressing support for freedom in Hong Kong.

Whereas Hong Kong has long been the world's freest economy, renowned for its rule of law and its jealous protection of civil rights and civil liberties;

Whereas the 1984 Sino-British Joint Declaration explicitly guarantees that all of Hong Kong's freedoms, including press freedom, religious freedom, and freedom of association, will continue for at least 50 years;

Whereas the Government of the People's Republic of China pledged to respect Hong Kong's Basic Law of 1990, which explicitly protects freedom of speech, of the press

and of publication, of association, of assembly, of procession, of demonstration, and of communication;

Whereas the Basic Law also explicitly protects freedom of conscience, religious belief, and of religious expression;

Whereas Hong Kong's traditional rule of law, which has guaranteed all of these civil rights and civil liberties, is essential to its continued freedom, and the erosion of that rule of law bodes ill for the maintenance and expansion of both economic freedom and individual civil rights;

Whereas in the United States-Hong Kong Policy Act of 1992 Congress declared: "The human rights of the people of Hong Kong are of great importance to the United States and are directly relevant to United States interests in Hong Kong. A fully successful transition in the exercise of sovereignty over Hong Kong must safeguard human rights in and of themselves. Human rights also serve as a basis for Hong Kong's continued economic prosperity.";

Whereas since Hong Kong became a Special Administrative Region (SAR) of the People's Republic of China on July 1, 1997, the Hong Kong authorities have changed the system of electing representatives to the Legislative Council, added appointed members to District Councils, invited the central government to reverse Hong Kong courts, and declined to permit the entry of some American visitors and other foreign nationals whose views are opposed by the People's Republic of China;

Whereas, despite the provisions of the Basic Law which call for a gradual and orderly process toward democratic election of the legislature and chief executive, and which call for universal suffrage, the Government of the Hong Kong

SAR and the People's Republic of China have stymied this process;

Whereas the traditional liberties of Hong Kong's 7,000,000 people are now immediately threatened by Hong Kong's proposed "Article 23" laws, which were drafted under strong pressure from the Government of the People's Republic of China, dealing with sedition, treason, and subversion against the Chinese Communist Party, and the theft of state secrets;

Whereas the proposed legislation would give the Hong Kong Government discretion to imprison individuals for "attempting to commit" the undefined crime of "subversion"; would criminalize not only membership in, but even attendance at meetings of, organizations not approved by Beijing; and would threaten freedom of religion, membership in authentic trade unions, political activity of all kinds, and a wide range of public and private expression;

Whereas the proposed legislation would give Hong Kong's Secretary for Security, an appointee of the Government of the People's Republic of China, broad authority to ban organizations it deemed in opposition to the national interest, thereby threatening religious organizations such as the Falun Gong and the Roman Catholic Church;

Whereas under the proposed legislation such basic and fundamental procedural rights as notice and opportunity to be heard could be waived by the appointee of the Government of the People's Republic of China in Hong Kong if honoring these rights "would not be practicable";

Whereas the People's Republic of China's history of arbitrary application of its own criminal law against dissenters,

and its pattern of imprisoning and exiling those with whom it disagrees, provide strong reasons to oppose the expansion of Beijing's ability to use its discretion against Hong Kong's freedoms;

Whereas similar subversion laws in the People's Republic of China are regularly used to convict and imprison journalists, labor activists, Internet entrepreneurs, and academics;

Whereas broad segments of the Hong Kong community have expressed strong concerns about, and opposition to, the proposed new laws;

Whereas those members of Hong Kong's Legislative Council elected by universal suffrage oppose the proposed new laws, but are powerless to stop them against the majority of votes controlled directly and indirectly by the Government of the People's Republic of China;

Whereas the scheduled consideration of these proposals to restrict Hong Kong's freedoms in the Legislative Council on July 9, 2003, makes the threat to its people clear and imminent; and

Whereas it is the duty of freedom loving people everywhere to stand with the people of Hong Kong against this dangerous erosion of its long-held and cherished rights: Now, therefore, be it

1 *Resolved*, That the House of Representatives—

2 (1) condemns any restriction of the freedom of
3 thought, expression, or association in Hong Kong,
4 consistent with the United States-Hong Kong Policy
5 Act of 1992;

1 (2) recognizes that because Hong Kong exer-
2 cises considerable influence in international affairs,
3 as a developed economy, financial center, trading
4 entrepot and shipping center, reductions in the exist-
5 ing freedom of the Hong Kong people would be of
6 global significance;

7 (3) urges the Hong Kong Government and the
8 People's Republic of China to withdraw the proposed
9 implementation of Article 23 of the Basic Law inso-
10 far as it would reduce the basic human freedoms of
11 the people of Hong Kong;

12 (4) calls upon the People's Republic of China,
13 the National People's Congress, and any other
14 groups appointed by the Government of the People's
15 Republic of China to leave all revisions of Hong
16 Kong law to a legislature elected by universal suf-
17 frage;

18 (5) urges immediate elections for the Legisla-
19 tive Council of Hong Kong according to rules ap-
20 proved by the Hong Kong people through an elec-
21 tion-law convention, referendum, or both;

22 (6) calls upon the Government of the People's
23 Republic of China to fully respect the autonomy and
24 independence of the chief executive, the civil service,

1 the judiciary, the police of Hong Kong, and the
2 Independent Commission Against Corruption; and

3 (7) calls upon the United States Government,
4 other governments, the people of the United States,
5 and the people of the world to support freedom in
6 Hong Kong by—

7 (A) making clear statements against any
8 limitations on existing human freedoms in
9 Hong Kong; and

10 (B) transmitting those statements to the
11 people and the Government of the People's Re-
12 public of China.

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