

16/12/02

B5-645/02

**DRAFT RESOLUTION
on the Hong Kong Basic Law**

Tabled pursuant to Rule 50 by SJOSTEDT, ERIKSSON, FRAHM, DI LELLO
On behalf of the GUE/NGL Group

The European Parliament:

- Having regard to the decision of the Government of the Hong Kong Special Administrative Region (HKSAR) to publish a consultation paper unveiling its proposals for an anti-subversion law under Article 23 of the Basic Law.

A. Aware that this legislation will apply to every single person in Hong Kong and that it will also apply to all Hong Kong permanent residents whether Chinese or non-Chinese nationals, for what they do outside Hong Kong.

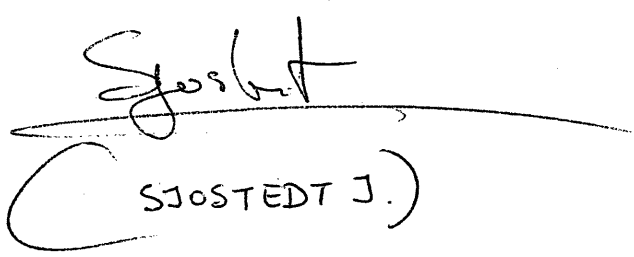
B. Whereas the widespread concern expressed by Hong Kong Legislative members, human rights groups and Hong Kong lawyers regarding the proposed legislation.

1. Seeks assurances from the HKSAR Government that the new legislation will not be subject to Article 19 of the Basic Law and that Article 23 offences will remain within the exclusive jurisdiction of Hong Kong Courts.

2. Seeks assurances that Article 23 proposals will not be used to silence opposition, restrict press freedom, restrict freedom of speech and restrict religious freedoms in accordance with Articles 27 and 34 of the Basic Law.

3. Believes that all proposed offences should be tightly defined and should specifically exclude the possibility of peaceful protests falling into the definition of crimes covered by Article 23.

4. Instructs its President to forward this resolution to the Council, the Commission and the HKSAR Government.


SJOSTEDT J.)

325.628