

Rooted in Hong Kong, Breakthrough has been dedicating to the well being of the young people for over three decades. We are thus concerned about the Special Administrative Region Government's current legislative initiative to implement Article 23 of the Basic Law.

The stipulations on national security under Article 23, including those on sedition and treason, were promulgated in the wake of the June 4th Incident in 1989. Before that, the Basic Law Drafting Committee had not deliberated on the topic. The SAR has fostered a cozy relationship with the Mainland since the reunification in 1997. Since then, China has advanced in terms of civil liberties and openness. The SAR Government has yet to convince the public that it is imperative for it to rush through the Article 23 related legislation at this stage. It also needs to justify why legislating now can benefit both the SAR and the nation.

We are aware of Article 23's potential impact on the community. Unfortunately, the proposals outlined in the consultative document are vague and ambiguous. The Government has failed to provide any detailed wording for public consultation. Meanwhile, the SAR Government has imposed an unnecessarily tight legislative timetable on the public. This has fuelled public suspicion and anxiety that freedom of expression could be undermined.

Regarding the Security Bureau's consultative document, we hold that:

1. The SAR Government should issue a white bill, or a detailed draft law, for consultation so that members of the public can participate meaningfully in the legislative process.
2. The SAR Government should come up with a more relaxed legislative timeline to allow citizens ample time to deliberate on the particulars of the proposed provisions.
3. We are opposed to all the proposed provisions that seek to incriminate a person on the basis of one's speech. Freedom of expression is instrumental for Hong Kong's prosperity. It is also a cornerstone for the protection of other human rights. Hong Kong's advantage as a cosmopolitan indeed also hinges on freedom of speech.
4. The police have already been vested with adequate investigative powers under the existing laws. We are, therefore, opposed to the proposal as outlined in the consultative document to enlarge police powers to enter premises and search without securing in advance a court warrant in the investigation of Article 23 offences.

As a voluntary agency for youth, Breakthrough has been striving for greater civic space for Hong Kong's new generation to develop themselves. Hence, it is our duty to submit our views on Article 23. We expect that freedom of expression will not be eroded and that there will be greater human rights for our future community.