

To: cb2@legco.gov.hk

cc:

Subject: Opposition around the World to the Legislation of Article 23 in Hong Kong - Canada Part

2002/12/20 05:45 PM

Dear Sir/Madam,

We would like to take this opportunity to voice our grave concern about Hong Kong government's proposal to introduce the highly controversial Basic Law article 23. Here please allow us to bring to your attention some of the strong opposition voice from international society to the Legislation of Article 23 in Hong Kong, especially from Canada.

We hope through shared efforts, we can make Hong Kong continue to be a free and democratic place.

[Letter from Canadian Labour Congress \(2.5 million members\)](#)

[Letter from United Steelworkers of America \(160,000 members\).](#)

[Letter from Hospital Employee's Union \(46,000 members\)](#)

[Opponents of Article 23 Hold Parades and Rallies Throughout Canada](#)

[A Petition Letter co-signed by Unions, Non-Government Organizations and professional associations](#)

#### **Letter from Canadian Labour Congress to Foreign Minister of Canada**

The Canadian Labour Congress (CLC) which represents 2.5 million Canadian workers is deeply concerned that the legislative proposal contained in the recent Hong Kong Special administrative Region (HKSAR) Government consultation document entitled Proposal to Implement Article 23 of the Basic Law will lead to the erosion of human rights and rule of law in Hong Kong. In particular, freedom of association, freedom of expression, freedom of press and freedom of information will be threatened if the proposal becomes law. The ambiguous definition of the key proposal on treason, secession, sedition, subversion, affiliation with proscribed mainland organizations, and serious illegal acts will allow the Government to use the law as a weapon to curtail people rights.

The proposal would give the Secretary of security the power to ban any Hong Kong organization affiliated to a mainland organization proscribed by PRC as a threat to National Security. This would enable mainland law to be effective in Hong Kong. This would grant arbitrary and excessive power that would seriously jeopardize the rights of workers in China and Hong Kong to freely associates, especially if seen in the context of PRC denial of the rights of Chinese workers to create and run their own independent and free trade unions.

Another serious danger is that the proposal would expand police power to enter any premises to conduct a search and seize materials for purpose of investigation without any warrants from the court. This would grant too much discretionary power to the police and may lead to abuse of police power in the intimidation of organizations.

The CLC strongly urges the HKSAR Government to abide by its obligation under both UN Covenants, on Economic social and Cultural Rights and on Civil and Political Rights, as well as to review existing law to make it in line with the covenant instead of creating new offences to limit the freedom of the people of Hong Kong in the name of National Security.

The CLC joins with the international Confederation of Free Trade Unions (ICFTU) in fully supporting the Hong Kong Confederation of Free Trade Unions (HKCTU) in their struggle, together with other organizations, against the curtailment of human rights in Hong Kong.

### **Letter from United Steelworkers of America**

Dear Mrs. Regina Yip,

On behalf of the 160,000 Canadian members of the United Steelworkers of America, I am writing to express our concern about the Hong Kong government's decision to implement 'Article 23' of the Basic Law.

Our Union adds our voice to that of the International Confederation of Free Trade Unions (ICFTU) and the Hong Kong Confederation of Trade Unions (HKCTU) in protesting the profoundly undemocratic and anti-union nature of the new draft law. The extremely ambiguous definitions of 'subversion' and 'affiliation' with other organizations allow enormous scope for the Government to use the law as a weapon to curtail people's rights, whether they are the exercise of trade union rights or religious observance or freedom of speech.

As you know, there is wide citizen opposition in Hong Kong to enacting Article 23. The trade union movement is prepared to work with the Hong Kong government in discussing alternatives that do not trample and abuse the rights of citizens.

I look forward to your reply to my appeal.

Lawrence McBrearty

National Director of Canada

### **Letter from Hospital Employee's Union to Mrs. Regina Yip**

Attention: Mrs. Regina Yip

Dear Mrs. Yip:

Re: Article 23

On behalf of the 46,000 member of the HEU, I am writing in opposition to the "Article 23" legislation being proposed by the Hong Kong government.

This controversial new law appears to have been written under direct pressure from Mainland China. It is far more restrictive and severe than required by the Basic Law, and could be used to force Hong Kong to ban any organization determined by China to be a national security risk.

As you know, China severely restricts its media, bans membership in trade and many organizations such as the Falun Gong, and would likely use Article 23 to extend similar prohibitions to the citizens of Hong Kong. These intrusions into Hong Kong's political autonomy violate the "one country, two systems" principle and basic democratic rights and freedoms.

We strongly urge your government to significantly amend Article 23 to prevent Hong Kong's civil liberties, in particular its autonomy in determining the legal status of organizations in Hong Kong; the freedom of press; the freedom of association and expression; and the freedom of assembly.

Yours sincerely,

Fred Muzin  
President

### **Opponents of Article 23 Hold Parades and Rallies Throughout Canada**

On December 14, 2002, the "Global Coalition Against Article 23 Legislation" and people from all walks of life interested in maintaining Hong Kong's freedom held parades and rallies in Toronto, Vancouver and Montreal, to support the gathering in Washington, D.C. on that same day. These cities have a very large Chinese population. The non-governmental Human Rights Front will also have a large parade on Sunday in Hong Kong.

The "Against Article 23" parade was held in Toronto, at 2:00 pm on Saturday. There were about four hundred participants, including representatives from Canada-Hong Kong Link, the Toronto Association for Democracy in China and Dr. So Kengchit.

In Vancouver, the "Global Coalition Against Article 23 Legislation" held an "Against Article 23" rally in front of the Vancouver Art Gallery. In Montreal, at 1:00 pm on Sunday in Chinatown, the "Against Article 23" rally was at 2:00 pm. There was also a parade.

### **A Petition Letter co-signed by Unions, Non-Government Organizations and professional associations**

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Central Government Offices  
Lower Albert Road  
Central  
Hong Kong  
fax: (852)2521-2848  
Email: BL23@sb.gov.hk

Dec.8th, 2002

Dear Mrs. Regina Yip

We, the undersigned from Canada would like to express our deep concerns about the "Article 23" legislation in Hong Kong.

It was brought to our attention that the Hong Kong government is introducing a controversial "Article 23" legislation which, as currently proposed, could damage Hong Kong's autonomy, liberties and press freedom.

It seems that the proposed legislation was written under direct pressure from China and is far more restrictive and severe than required by the Basic Law. It appears that if it is enacted, Hong Kong would have to ban any organization determined by China as a national security risk. This is against HK's autonomy and the "one country, two systems" principle. It seems that the proposed law would also put serious restrictions on HK's media with regard to publishing information relating to Beijing.

We strongly urge you to ensure that the legislation will preserve Hong Kong's civil liberties, in particular its autonomy in determining the legal status of organisations in Hong Kong, and the freedom of press, the freedom of beliefs, the freedom of assembly.

We would like to express our opposition to this "Article 23" legislation.

Yours sincerely,

International Association of Sheet Metal Workers (local 30)  
Asia Pacific Human Rights  
Community Information Service Hamilton-Wentworth  
Zhao-Zhang & Associates  
Strength of Current Enterprise