

立法會
Legislative Council

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From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 26 March 2014

**Amendments to motion on
“Safeguarding academic freedom”**

Further to LC Paper No. CB(3) 470/13-14 issued on 13 March 2014, four Members (Hon IP Kin-yuen, Hon Martin LIAO, Dr Hon Elizabeth QUAT and Dr Hon Helena WONG) have respectively given notices of their intention to move separate amendments to Dr Hon Kenneth CHAN’s motion on “Safeguarding academic freedom” scheduled for the Council meeting of 26 March 2014. As directed by the President, the respective amendments will be printed in the terms in which they were handed in on the Agenda of the Council.

2. The President will order a joint debate on the above motion and the four amendments. To assist Members in debating the motion and the amendments, I set out below the procedure to be followed during the debate:

- (a) the President calls upon Dr Hon Kenneth CHAN to speak and move his motion;
- (b) the President proposes the question on Dr Hon Kenneth CHAN’s motion;
- (c) the President calls upon the four Members who wish to move amendments to speak in the following order, but no amendment is to be moved at this stage:
 - (i) Hon IP Kin-yuen;
 - (ii) Hon Martin LIAO;
 - (iii) Dr Hon Elizabeth QUAT; and

- (iv) Dr Hon Helena WONG;
- (d) the President calls upon the public officer(s) to speak;
- (e) the President invites other Members to speak;
- (f) the President gives leave to Dr Hon Kenneth CHAN to speak for the second time on the amendments;
- (g) the President calls upon the public officer(s) to speak again;
- (h) in accordance with Rule 34(5) of the Rules of Procedure, the President has decided that he will call upon the four Members to move their respective amendments in the order set out in paragraph (c) above. The President invites Hon IP Kin-yuen to move his amendment to the motion, and forthwith proposes and puts to vote the question on Hon IP Kin-yuen's amendment;
- (i) after Hon IP Kin-yuen's amendment has been voted upon, the President deals with the other three amendments; and
- (j) after all amendments have been dealt with, the President calls upon Dr Hon Kenneth CHAN to reply. Thereafter, the President puts to vote the question on Dr Hon Kenneth CHAN's motion, or his motion as amended, as the case may be.

3. For Members' reference, the terms of the original motion and of the motion, if amended, are set out in the **Appendix**.

(Odelia LEUNG)
for Clerk to the Legislative Council

Encl.

(Translation)

**Motion debate on
“Safeguarding academic freedom”
to be held at the Council meeting of 26 March 2014**

1. Dr Hon Kenneth CHAN’s original motion

That this Council safeguards academic freedom, encourages academics to participate in public affairs for actively promoting social progress and reform, and urges the Administration to ensure that all academic research and activities are free from any forms of interference.

2. Motion as amended by Hon IP Kin-yuen

That academic freedom is the cornerstone for promoting social civilization and progress as well as an integral part of the autonomy of educational institutions; yet, since the reunification of Hong Kong with China, the severe threat to academic freedom, and the tangible and intangible political interference experienced by higher educational institutions have never ceased, posing great risk to the spirit of Article 22 of the Basic Law, which provides that ‘[n]o department of the Central People’s Government and no province, autonomous region, or municipality directly under the Central Government may interfere in the affairs which the Hong Kong Special Administrative Region administers on its own in accordance with this Law’, and Article 137 of the Basic Law, which stipulates that ‘[e]ducational institutions of all kinds may retain their autonomy and enjoy academic freedom’; earlier on, a member of the Standing Committee of the Chinese People’s Political Consultative Conference openly criticized the Public Opinion Programme of The University of Hong Kong for providing a public opinion basis for the demands of the opposition camp by repeatedly releasing opinion poll results which were unfavourable to the Central Government and the SAR Government; subsequently, the Head of the Central Policy Unit also pointed out that opinion polls might be capitalized and packaged by people with political inclinations to promote a certain political inclination or viewpoint; and recently, leftist newspapers have also published long articles one after another to attack Robert CHUNG Ting-yiu, Director of the Public Opinion Programme of The University of Hong Kong; these incidents show that academic freedom and the autonomy of educational institutions are now facing a new round of challenge; in this connection, this Council safeguards considers that academic exchanges should be conducted on the basis of facts

and rational discussions, without comprising elements of violence or menaces and any forms of political interference, and urges the Government to safeguard academic freedom, encourages academics to participate in public affairs for actively promoting social progress and reform, and urges the Administration to ensure that all academic research and activities are free from any forms of interference, support higher educational institutions in safeguarding their independence and autonomy, and ensure that academics and students can participate in public affairs discussions in an environment free from fear and threat.

Note: Hon IP Kin-yuen's amendment is marked in ***bold and italic type*** or with deletion line.

3. Motion as amended by Hon Martin LIAO

That *universities, as the highest academic institutions, shoulder the important responsibilities of expanding the frontier of knowledge and nurturing the next generation;* this Council safeguards academic freedom, *for encouraging university academics to concentrate on conducting academic research, imparting knowledge and pursuing academic excellence, and* encourages academics to participate in public affairs *with a positive and responsible attitude while engaging in academic research and teaching* for actively promoting *assisting in* social progress and reform, ~~and;~~ *this Council also* urges the Administration to ensure that all academic research and activities are free from any forms of interference *universities enjoy academic freedom for achieving the above objectives.*

Note: Hon Martin LIAO's amendment is marked in ***bold and italic type*** or with deletion line.

4. Motion as amended by Dr Hon Elizabeth QUAT

That this Council safeguards academic freedom, ~~encourages academics to participate in public affairs for actively promoting social progress and reform,~~ and urges the Administration to ensure that all academic research and activities are free from any forms of interference; *at the same time, this Council encourages academics to conduct studies on and participate in public affairs, and also encourages the various sectors of society to engage in more discussions on academic research for actively promoting social progress and reform.*

Note: Dr Hon Elizabeth QUAT's amendment is marked in ***bold and italic type*** or with deletion line.

5. Motion as amended by Dr Hon Helena WONG

That this Council safeguards academic freedom, encourages academics to participate in public affairs for actively promoting social progress and reform, *opposes the Government or the rich and powerful pressurising academic institutions and making use of opinion polls as a political tool*, and urges the Administration to ensure that all academic research and activities are free from any forms of interference.

Note: Dr Hon Helena WONG's amendment is marked in *bold and italic type*.