

DRAFT

1998年12月9日(星期三)
立法會會議席上
李柱銘議員就“特區司法管轄權”
提出的議案

議案措辭

“鑑於特區兩名富商在港被綁架案及德福花園五屍命案均在中國內地法院以中國刑法審理，事件引起港人極大關注，但特區政府卻未有盡全力爭取在特區領域內涉嫌違法的人士，歸還香港特區政府審理，以捍衛《基本法》賦予特區的司法管轄權，對此，本會深表遺憾；同時，本會促請特區政府以國際社會公認的原則為基礎，盡快與中央政府就中港兩地移交疑犯的安排，進行商討及達成協議，恢復港人對特區司法管轄權的信心。”

(Translation)

**Motion on "The HKSAR's judicial jurisdiction"
to be moved by Hon Martin LEE Chu-ming
at the Legislative Council Meeting
on Wednesday, 9 December 1998**

Wording of the Motion

"That, as the trials of cases which involved the kidnapping in Hong Kong of two HKSAR wealthy businessmen and the Telford Gardens murders were conducted in the mainland in accordance with Chinese Criminal Code, and the matter has caused wide concern among the public in the territory, while the SAR Government has failed to exert every effort to strive for the return of the suspects who have committed crimes within the precincts of the SAR to be tried in a HKSAR court so as to safeguard the judicial jurisdiction conferred to the SAR by the Basic Law, this Council expresses its deepest regrets; and this Council also urges the SAR Government on the basis of principles internationally acknowledged, to expeditiously deliberate and come to an agreement with the Central Government on transfer arrangements for suspected fugitives between China and the SAR, so as to restore the public's confidence in the SAR's judicial jurisdiction."

(Draft as at 25.11.98)