

Members (Ladies and Gentlemen) of the Commission of the Legislative Council for the Examination of the Draft Legislation on State Security,

I have come, with some reluctance and with strong feelings of frustration and indignation, to speak about the manner in which the legislative process on Article 23 of the Basic Law is currently being promoted. My remarks today are also addressed to all members of the Legislative Council, all members of the Executive Council as well as to the Chief Executive of the Hong Kong Special Administrative Region, Mr. Tung.

I am frustrated because, as Mr. Andrew Lee described at the inauguration of the present Legal Year, there are still "people who see discussion on this matter as a contest between Government and those who oppose the proposed legislation only in terms of political victory or defeat, an attitude which is causing division in our society."

There is a widespread feeling of deep frustration with the Government for disregarding the requests of many of our citizens and foreign friends in refusing to conduct a consultation through a White Paper draft. Yet it has solemnly promised to use its Blue Paper draft for consultation purposes and subsequently make appropriate amendments to that draft. I find it disgraceful that the Government is instead, with the help of pro-government members, pushing for a speedy and hasty legislative process and showing no interest whatsoever in involving itself in serious discussion with the public.

People in Hong Kong are profoundly worried about the SARS epidemic which is still not under control. Many of our citizens have suddenly been cast into extreme economic difficulty. Yet, in recent months, pro-government members have pushed a financial budget through the Legislative Council which gives priority to deficit and very little attention to economic recovery as if nothing else was happening. The subsequent "once off provisions" can only be seen as a meager consolation and described as "too little, too late". This cannot but make us indignant.

The Government is also taking advantage of the fact that people's attention is distracted from the usual day-to-day matters by this current calamity, to quietly push the legislative process on Article 23. I ask you, is this honest or decent? Is this what "making the worries of the people the priority of the Government" means?

Look at the disgusting and shameful manner in which the pro-government party is manipulating the process. Because they have a majority in the commission they think they can gain an easy victory in the present climate. They use public hearing sessions like a political side show. We know what they are up to, but this type of political circus is

becoming a thing of the past even in other places. I find it sad that they think they can offend people's intelligence in such a shameless way.

In the face of the SARS problem the Government deserves our understanding. We willingly promised and have worked hard to abstain from criticism and to be cooperative during this time, and on different occasions we have offered our resources to assist the Government's initiatives. They could use the present situation as an opportunity to build cohesion in the community, but obviously this is not their priority and we have already been classified as an enemy. The sixty thousand people who took to the streets at the December rally and the many more people who support them are being ignored. They will remain peaceful citizens, but in the end they may well be forced to alienate themselves from the Government in which they can have no more hope.

The Catholic Church exists both here and on the Mainland. The proposed: "mechanism to proscribe organisation" is a serious issue for us. At the last moment the Government has even introduced a clause to legitimise an "appeal hearing with the forced absence of the defendant party". This I find amazing, and it has shocked legal experts in our community. We can hardly resist the temptation to believe that this is another trick intended to divert our attention from the main point, and is designed to make the probable abandonment of this newly introduced absurdity appear to be a conciliatory gesture of concession.

But why should even the main point of this "mechanism" be retained? It is not required by Article 23 of the Basic Law, even Mr. Tsang Yuk Shing said it could be superseded. Doesn't the security branch already have sufficient power to initiate an investigation and proscribe "as endangering the state" any association in Hong Kong? Why do we need a mechanism which will destroy the principle of "one country, two systems"? Does the Government already have a specific association in mind that it wishes to proscribe with this new mechanism? According to the Wen Wai Pao someone said that this mechanism is the bottom line for the Beijing Government. We beg our comrades in the Liaison Office to please give us some word of confirmation on this, so we can at least know where to address our petitions. We are appealing to our new leaders in Beijing; please take time to look at Hong Kong where self-styled patriots are doing serious damage to the principle of "one country, two systems". A principle that is so important both for Hong Kong and for our whole country.

Bishop Joseph Zen
3rd May 2003