

何君堯議員根據《議事規則》第49B(1A)條動議 譴責林卓廷議員的議案

議案措辭

鑒於林卓廷議員行為不檢及違反《基本法》第一百零四條所規定的誓言(有關詳情一如本議案附表所述)，本會根據《基本法》第七十九條第(七)項對其作出譴責。

附表

林卓廷議員行為不檢及違反《基本法》第一百零四條所規定的誓言的詳情如下：

1. 2019 年 7 月 21 日傍晚，林卓廷議員直接或間接地涉及或參與由一批暴徒組織的名為“光復西環”的非法集會。林議員與眾人在位於西環的中央人民政府駐香港特別行政區聯絡辦公室(“中聯辦”)大樓外集結。其後非法集會演變為暴動，一干暴徒包圍中聯辦大樓，並企圖衝入大樓。屢試不果後，他們改為污損懸掛在大樓外牆的中華人民共和國國徽和中聯辦的名牌，以及在牆上噴上侮辱中國和中華民族的字句。他們的行為不單令人憤慨，而且構成多項刑事罪行。此外，他們宣揚“港獨”的行為更挑戰“一國兩制”的底線和違反《基本法》。
2. 於同日晚上，林卓廷議員率領多名穿著黑衣、打扮與普通市民無異的人士，乘搭香港鐵路有限公司西鐵線列車前往元朗站，抵埗後半小時內，先後多次挑釁在元朗站內聚集的白衣居民。雙方先互相對罵，繼而演變成集體毆鬥。林議員在元朗站期間，煽惑群眾參與非法集會、打鬥或暴動(事件時序表載於本議案附表的附錄)。
3. 林卓廷議員的行為：(i)身為立法會議員，參與非法集會，並帶領黑衣暴徒於元朗站襲擊白衣居民，屬行為不檢；以及(ii)違反他於 2016 年 10 月 12 日的立法會會議上，根據《基本法》第一百零四條及《宣誓及聲明條例》(第 11 章)作出的“.....定當擁護《中華人民共和國香港特別行政區基本法》，效忠中華人民共和國香港特別行政區，盡忠職守，遵守法律，廉潔奉公，為香港特別行政區服務”的誓言。

**何君堯議員編制的關於 2019 年 7 月 21 日西鐵線元朗站
發生的集體毆鬥事件時序表**
**Chronology of events relating to the brawls took place at
Yuen Long Station of West Rail Line on 21 July 2019 prepared by
Hon Junius HO**

(事件資料節錄自林卓廷議員2019年7月21日晚上10時45分
發布於其面書的視頻)

(information of the incident extracted from the video clip
posted on Hon LAM Cheuk-ting's facebook at 10:45 pm on 21 July 2019)

序號 Seq	視頻時間標記 Time marker of the video clip	內容 Contents
1.	5'19"	黑衣人與白衣人在西鐵線元朗站內口角，林卓廷議員(“林議員”)也出現在站內。 The black-clad people and white-clad people quarrel at Yuen Long Station of West Rail Line (“the station”). Hon LAM Cheuk-ting (“Mr LAM”) also appears at the station.
2.	5'49"	林議員說：“影佢(一名白衣人)個樣!”。 Mr LAM says, “Take a photo of him (a white-clad person)!”.
3.	6'19"- 6'26"	此時有水樽和竹支被掙出閘外。 Water bottles and bamboo sticks are being thrown out of the station.
4.	8'07"	白衣人正在離開，林議員煽動黑衣人緊守崗位並說：“唔好退！千祈!”。 White-clad people are about to leave but Mr LAM asks the black-clad people to stay and say, “Don't retreat! Never!”.
5.	8'50"	林議員繼續叫：“千祈唔好退!”。 Mr LAM continues to shout, “Never retreat!”.
6.	9'20"	有女聲高叫：“DLLM，入嚟呀!”。 A female screams loudly, “Fuck you! Come in, I dare you!”.
7.	10'03"	黑衣人叫：“香港人加油!”。 林議員說：“你落嚟幫手睇住!”。 林議員召喚更多黨羽從車站二樓落去大堂。 Black-clad people shout, “Come on, Hong Kongers!”. Mr LAM says, “You come down to keep a watch!”. Mr LAM summons more of his accomplices to come down to the concourse from the second floor of the station.

<u>序號</u> <u>Seq</u>	<u>視頻時間標記</u> <u>Time marker of</u> <u>the video clip</u>	<u>內容</u> <u>Contents</u>
8.	11'07"	黑衣人叫：“未食飯呀！DL！”。 Black-clad people shouts, “Did you eat! Fuck you!”.
9.	11'17"	站內有黑衣人打傘(此乃是黑衣暴徒的慣常動作)。 Some black-clad people open umbrellas at the station (that is an habitual act of the black-clad rioters).

林卓廷議員的第一次挑釁行動 The first round of provocation made by Hon LAM Cheuk-ting

<u>序號</u> <u>Seq</u>	<u>視頻時間標記</u> <u>Time marker of</u> <u>the video clip</u>	<u>內容</u> <u>Contents</u>
10.	11'31"	林議員說：“警察嚟緊喇！你班仆街！”。 Mr LAM says, “The police are coming for you now! You idiots!”.
11.	11'45"	林議員再挑釁並說：“你夠膽就唔好走！”。 Mr LAM provokes again and says, “I dare you to stay!”.
12.	11'57"	林議員說：“你哋班仆街，夠膽就唔好走！警察依家嚟緊。你哋夠膽就唔好走！”。 Mr LAM says, “You idiots. I dare you to stay! The police are coming for you. I dare you to stay!”.
13.	12'10"	眾人重覆大叫約 20 次：“黑社會唔好走！”。 The crowd shout repeatedly for about 20 times, “Triad! Don't Go!”.
14.	12'45"	鏡頭外有一名女士尖聲高叫：“DLLM 仆街！”。 A female who is off camera screams and shouts loudly, “Fuck you, idiots!”.
15.	13'25"	眾人重複說：“黑社會唔好走！”。 The crowd repeatedly shout, “Triad! Don't Go!”.
16.	14'00"	音樂響起以鼓勵黑衣人士氣，也像是電話鈴聲！ Some music is playing as if it aims at drumming up the morale of the black-clad people, or it could be the ringing tone of a mobile phone!

林卓廷議員的第二次挑釁行動 The second round of provocation made by Hon LAM Cheuk-ting

序號 Seq	視頻時間標記 Time marker of the video clip	內容 Contents
17.	14'43"	林議員開閘行出站外挑釁白衣人。白衣人則猶豫不入。 Mr LAM opens an entry/exit gate and walks out of the station to provoke the white-clad people. The white-clad people are hesitant about coming in.
18.	15'08"	林議員說：“你班黑社會唔好再打人啦！”。 Mr LAM says, “You triad! Stop beating up people now!”.
19.	15'10"	有深藍衣人開始用滅火喉向白衣人噴水(這成為日後黑衣暴徒在不同場合慣常使用的技倆)。 A person in a dark blue T-shirt starts using fire hose to spray water on the white-clad people (That is a frequent tactic used by the black-clad people on different occasions subsequently).
20.	15'15"	有白衣人跌低在地上。 A white-clad person slipped and fell on the floor.
21.	15'24"	元朗站繳費閘內的黑衣人狂叫。 The black-clad people inside the paid area of the station shout.
22.	15'40"	此時白衣人正在走開。 The white-clad people are leaving.
23.	15'52"	在林議員的強烈的煽動下，有一穿藍色衣服的男子持水喉向白衣人噴水，同時右手持傘毆打白衣人。 Influenced by the strong incitement of Mr LAM, a man in a blue T-shirt hit the white-clad people with an umbrella whilst spraying water on them with a fire hose.
24.	16'10"	有黑衣男子叫道：“拉住兄弟(此乃黑衣暴徒互相稱呼的慣用語)！”。 A black-clad man shouts, “Hold the mate (This is a frequent and common way to address each other among the black-clad rioters)!”.
25.	16'12"	此時在持水喉男右則，有另外一男子使用滅火筒向白衣人噴射滅火劑！ Another male standing next to the man holding the water hose is spraying the white-clad people with a fire extinguisher.

序號 Seq	視頻時間標記 Time marker of the video clip	內容 Contents
26.	16'23"	鏡頭外有一男子叫道：“拉實兄弟呀(黑衣暴徒互相稱呼的慣用語)！”。 A man who is off camera shouts, “Hold that mate firmly (This is a frequent and common way to address each other among the black-clad rioters)!”.
27.	16'33"	有消防救護員出現在車站繳費閘內，亦有一白衣人開始進入車站內圍。 An ambulanceman appears at the paid area of the station, and a white-clad person is also seen to be about to enter the paid area of the station.
28.	16'38" - 16'45"	音樂響起，好像是電話鈴聲。此時林議員落荒而逃。 Some music is playing and it sounds like a ringing tone of a mobile phone. At the time, Mr LAM is fleeing.
29.	17'00"	林議員等人步往車站內二樓月台的樓梯位置！ Mr LAM is walking towards the stairway leading up to the platform on the second floor of the station!
30.	17'32"	鏡頭外有一男子叫：“走走走走！”。 A man who is off camera shouts, “Go! Go! Go! Go!”.
31.	17'36"	林議員走入車廂內。 Mr LAM enters a train compartment.
32.	17'40"-17'59"	鏡頭外有一男子叫道：“快上車啦過嚟呀！”。 A man who is off camera shouts, “Go inside the train quickly and come here!”.

林卓廷議員的第三次挑釁行動 The third round of provocation made by Hon LAM Cheuk-ting

序號 Seq	視頻時間標記 Time marker of the video clip	內容 Contents
33.	18'03"	林議員又走出車廂外，當時他右手持有長雨傘作出戰鬥姿態。 Mr LAM goes out of a train compartment and he is holding a long umbrella with his right hand in a fighting mode.

序號 Seq	視頻時間標記 Time marker of the video clip	內容 Contents
34.	18'08" – 18'18"	鏡頭外有一男子叫林議員：“阿廷(指林議員)！Z 打電話畀你幾次啦！” 。但林議員沒有理會，他一直走近至月台樓梯位。 A man who is off camera tells Mr LAM, “Ah Ting (Mr LAM refers)! Z has called you several times!”. But Mr LAM ignores him and continues to walk towards the stairway of platform.
35.	18'22"	有白衣人集合在地下大堂，但沒有步上二樓車站平台。 A group of white-clad people are congregating at the concourse of the station but they do not go to the station platform on the second floor.
36.	18'31"	在林議員身旁有男子叫道：“DLLM 夠膽上嚟呀！”。 A man standing next to Mr LAM shouts, “Fuck you! I dare you to come up!”.
37.	18'43"	有男子繼續叫道：“走啦！”。 A man continues to shout loudly, “Go away!”.
38.	18'56"-19'00"	林議員返回車廂後叫道：“頂住門口！頂住門口！唔好畀佢入嚟！”。 Mr LAM returns to a train compartment and says, “Hold the door! Hold the door! Don’t let them in!”.
39.	19'06"	林議員問：“嗰邊有冇人走入來？”。 Mr LAM asks, “Is there anyone coming in from the other side?”.
40.	19'23"	此時白衣人已走上車站二樓。 White-clad people are going up to the second floor of the station.

林卓廷議員的第四次挑釁行動 The fourth round of provocation made by Hon LAM Cheuk-ting

序號 Seq	視頻時間標記 Time marker of the video clip	內容 Contents
41.	19'30"	林議員再次走出車廂外，向白衣人挑釁！ Mr LAM goes out of a train compartment again and provokes the white-clad people!

序號 Seq	視頻時間標記 Time marker of the video clip	內容 Contents
42.	19'33"-19'46"	林議員與白衣人打鬥。 Mr LAM is fighting with a white-clad person.
43.	20'02"	林議員再走回車廂。 Mr LAM retreats to a train compartment.
44.	20'19"	林議員帶領的團體及白衣人對峙。有白衣人叫林議員唔好挑釁。 A standoff between the people led by Mr LAM and the white-clad people ensues. The white-clad people ask Mr LAM to stop provocation.
45.	20'24"-20'32"	一名白衣人警告林議員之後轉身走開。 A white-clad person turns away after giving Mr LAM a warning.
46.	20'42"-21'00"	鏡頭外有一男子叫：“攞遮(用雨傘作武器是暴徒慣性手法)！”。 A man who is off camera shouts, “Get an umbrella (That is a weapon used frequently by the rioters)!”.
47.	21'08"	一名白衣人進入車廂內。 A white-clad person enters a train compartment.
48.	21'16"	一名白衣人退出車廂外。 A white-clad person leaves a train compartment.
49.	21'37"	有男子叫女子不要大叫並說：“大家冷靜！”。 A man is trying to pacify a girl and says, “Calm down!”.
50.	21'48"	有一名白衣人勸籲其他人不要進入車廂。 A white-clad person is persuading other people not to enter a train compartment.
51.	21'55"	西鐵廣播列車暫停服務(此時可能列車車廂內的緊急掣被按下，列車未能開出)。 West Rail broadcasts to all passengers that the train service is suspended (The train does not leave the platform probably as the emergency button has been pressed).
52.	22'13"	另有白衣人維持秩序，阻止其他白衣人進入車廂內。 Another white-clad person tries to maintain order and prevents other white-clad people from entering a train compartment.

序號 Seq	視頻時間標記 Time marker of the video clip	內容 Contents
53.	22'28"	車廂外，有男子相信是指著林議員喝罵：“係你條仆街……，DLLM! 阻住囉！”。 A man is believed to be shouting from outside a train compartment towards Mr LAM, “You idiot...fuck you! Keep causing trouble!”.
54.	22'33"	有一白衣人持棍衝入車廂。 A white-clad person enters a train compartment holding a stick.
55.	22'39"	此時鏡頭外有一男子持棍毆打林議員，聽到似是林議員的聲音叫著“唔好打呀！”。 At the time, a man who is off camera is hitting Mr LAM with a stick. A voice believed to be that of Mr LAM is heard, saying, “Stop beating me!”.
56.	23'05"	情況混亂……！ Chaos...！
57.	23'29"	繼續打鬥，林議員躲在一男一女身後，避開白衣人的毆打和襲擊。 The fighting goes on. Mr LAM is hiding behind a man and a woman to avoid being hit by the white-clad people.
58.	23'39"	有一名白衣男子叫：“唔好打”，並以身體擋著。 A white-clad man says, “Stop hitting!”, and uses his body as a protecting shield for others.
59.	23'44"	白衣人撤退出車廂並叫：“走走走！”。 A white-clad person retreats from a train compartment and shouts, “Go Go Go!”.
60.	23'51"	有一四眼男子跪地求和。有藍衣肥男子一拳打向該男子。 A man wearing spectacles kneels down and begs for mercy. A fat man in a blue T-shirt hits that man with his fist!
61.	25'10"-25'20"	有一名白衣人大聲喝罵林議員說：“DLLM！你搞我哋元朗……DLLM！”。 A white-clad person shouts loudly at Mr LAM, “Fuck you! You stir up trouble to Yuen Long! Fuck you!”.

<u>序號</u> <u>Seq</u>	<u>視頻時間標記</u> <u>Time marker of</u> <u>the video clip</u>	<u>內容</u> <u>Contents</u>
62.	25'33"	林議員坐在車廂內查看自己的傷勢。他右嘴角輕微滲血。 Mr LAM is sitting in a train compartment and checks his injury. His right lip corner is seen bleeding.
63.	25'50"-26'40"	車廂關門。 Train doors are closing.
64.	27'00"	音樂再次響起來。應該是電話鈴聲。 Some music is playing again. It should be the ringing tone of a mobile phone.
65.	27'28"	列車開出。 The train is leaving.