

立法會 *Legislative Council*

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Panel on Constitutional Affairs

Updated background brief prepared by the Legislative Council Secretariat for the meeting on 15 June 2020

Promotion of the Basic Law

Purpose

This paper summarizes the past discussion of the Panel on Constitutional Affairs ("the Panel") on the promotion of the Basic Law.

Background

2. The Basic Law Promotion Steering Committee ("BLPSC") led by the Chief Secretary of Administration was established in 1998. According to the Administration, BLPSC provides the necessary steer on the overall programme and strategy for promoting the Basic Law, and provides an organizational focus for coordinating the efforts of various parties concerned both in the Government and in the community. There are five working groups under BLPSC, namely Working Group ("WG") on Local Community, WG on Teachers and Students, WG on Civil Servants, WG on Industrial, Commercial and Professional Sectors, and WG on Overseas Community. The Home Affairs Bureau, the Education Bureau ("EDB"), the Civil Service Bureau, the Trade and Industry Department and the Information Services Department provide secretariat services to the five WGs respectively and assist the WGs in planning and organizing activities to promote the Basic Law to the respective sectors.

Relevant discussions of the Panel

Effectiveness of promotion of the Basic Law

3. Some members expressed concern about the effectiveness of the Administration's efforts in promoting the Basic Law. They suggested that additional measures should be taken to assist people from different walks of life in gaining a more in-depth understanding of the "one country, two systems" principle. Some members considered that although the Basic Law had been in force for many years, some people emphasized only the "two systems" and

neglected the "one country" principle. These members further pointed out that the Hong Kong Special Administrative Region ("HKSAR") was established in accordance with the provisions of Article 31 of the Constitution of the People's Republic of China ("the Constitution"). The Constitution and the Basic Law formed the constitutional basis of HKSAR. They requested the Administration to step up efforts to promote understanding of the Constitution and the Basic Law. Some other members considered that the Administration should promote the relevant provisions of the Basic Law which safeguarded human rights and various kinds of freedom of Hong Kong people.

4. The Administration advised that BLPSC was set up to map out strategies for promoting the Basic Law. A wide range of Basic Law promotional activities were organized by the five WGs established under BLPSC to promote the Basic Law to respective sectors. The Administration further advised that among the different sectors, the Government especially attached importance to the education and promotion work on the Basic Law for students/young people and public officers. The Administration informed members that the Constitutional and Mainland Affairs Bureau ("CMAB") had been promoting a comprehensive and thorough public understanding of the principle of "one country, two systems" and the Basic Law via various means, including organizing large-scale thematic seminars; promotion through the electronic media; organizing regular roving exhibitions at the district level; arranging the Basic Law mobile resource centres to pay visits to different districts and schools; and providing sponsorship to community organizations through the "Basic Law Promotion Sponsorship Scheme" for staging various Basic Law promotional activities. On promotion of the Constitution and the Basic Law, the Administration undertook that it would make sustained efforts to promote to the general public a comprehensive understanding of the Constitution and the Basic Law.

5. Some members suggested that more innovative measures, such as mobile app games and short videos, should be taken to promote the Basic Law in a lively manner to attract young people, and called on the Administration to adopt a more interactive approach, such as the use of multimedia, to promote the Basic Law. The Administration advised that publicity on the Basic Law also included the use of new media, such as the Internet, smart-phone applications and online interactive games, to appeal to the younger generation. Besides, the "Basic Law Court Case Database" containing court cases, judgments and judicial explanations related to the Basic Law was set up in 2017. It enabled members of the public to have convenient access through simple search engine functions to understand the provision and contents of the Basic Law through these court cases. The Administration advised that the relevant excerpts on Basic Law-related court cases between 1997 to 2010 were also included in the database.

Basic Law education for students

6. Some members questioned whether adequate efforts had been made in promoting the Basic Law for students and cultivating in them a sense of national identity. These members expressed concern that according to media reports, there were pro-independence groups attempting to promote "Hong Kong independence" on school campuses. They queried whether EDB would adopt a tougher stance in handling the promotion of "Hong Kong independence" on school campuses in future.

7. The Administration advised that the existing policies of Basic Law education implemented by EDB aimed at setting out clear goals for promoting Basic Law education through a systematic, multi-pronged and co-ordinated approach, so that all primary school and secondary school students understood related concepts of the Basic Law and the principle of "one country, two systems". The learning contents relating to the Basic Law were inherent in relevant Key Learning Areas and subjects. Besides, schools further facilitated students in learning the Basic Law through various learning activities. According to the Administration, the school sector was very supportive of Basic Law education and the rates of participants of various learning activities had been on the rise. As regards the handling of the promotion of "Hong Kong independence" on school campuses, the Administration stressed that actions promoting "Hong Kong independence" contravened the Basic Law. The Administration advised that EDB's stance all along was that any proposals or activities advocating "Hong Kong independence" should not be allowed in schools. EDB had elucidated its stance to all schools in Hong Kong. Meanwhile, each university had also put in place a mechanism for handling any such activities on its campus.

8. Members noted that the Basic Law Knowledge Enrichment Online Course for Secondary School Teachers ("the Online Course") was launched in June 2017 to enhance teachers' knowledge and understanding of the Basic Law. When the Panel discussed "Promotion of the Basic Law" at its meeting on 15 January 2018, some members enquired why there were only 500 teachers who had completed the Online Course. They enquired whether additional support would be provided to teachers for professional development in relation to the Basic Law.

9. The Administration explained that the Online Course, which allowed teachers' participation at their convenience, was only one of the many avenues for secondary school teachers to enhance their knowledge and understanding of the Basic Law. It was offered to provide one convenient channel for teachers' self-learning. The Administration advised that eight sessions of the Online Course were conducted each year, with each session providing a quota of 400

apart from the initial two trial sessions. Moreover, other training efforts were targeted at principals and teachers, including new and incumbent principals, as well as teachers of Liberal Studies at the secondary level and General Studies at the primary level. The Administration further advised that experts were invited to conduct Basic Law training on the staff development day of government schools. School sponsoring bodies were also encouraged to arrange relevant training for their teaching staff. In view of the busy schedules of teachers and the availability of different learning opportunities on the Basic Law, the Administration considered the enrolment rate for the online course satisfactory.

10. Some members expressed concern as to whether students would be "brainwashed" with biased information through Basic Law education. The Administration explained that the curriculum as well as learning and teaching resources for the purpose of Basic Law education were carefully and prudently designed in consultation with the legal sector, CMAB and the Department of Justice. The Administration considered that relevant materials which had been uploaded onto the Internet for public viewing were impartial.

Basic Law training for civil servants

11. Members noted that starting from 2016, the Civil Service Training and Development Institute ("CSTDI") had provided Basic Law foundation courses on key concepts and provisions of the Basic Law to all new recruits within three years upon their joining of the civil service. Some members sought details of the training provided to the civil servants who had progressed to the managerial level.

12. The Administration advised that CSTDI organized Basic Law training courses and promotional activities for civil servants at all levels. Bureaux/departments had also incorporated such courses into their respective staff training and development plans. As officers progressed further to the managerial level, they would participate in more advanced Basic Law training, which included the national studies programmes co-organized with renowned institutions and universities in the Mainland, e.g. the Chinese Academy of Governance.

Financial provision for promoting the Basic Law

13. At the policy briefing cum meeting held on 16 December 2019, some members expressed concern about whether sufficient resources were allocated for promotion of the Basic Law. The Administration advised that it had increased allocation of resources in this area. The financial provision earmarked in the 2019-2020 to promote the Constitution and the Basic Law was \$21 million.

Recent development

14. The Administration will brief the Panel on the promotion of the Basic Law at the next meeting on 15 June 2020.

Relevant papers

15. A list of relevant papers which are available on the LegCo website is in the **Appendix**.

Council Business Division 2
Legislative Council Secretariat
11 June 2020

Appendix

Relevant papers on promotion of the Basic Law

Committee	Date of meeting	Paper
Panel on Constitutional Affairs	15.1.2018 (Item III)	Agenda Minutes
Legislative Council	11.4.2018	Official Record of Proceedings Pages 94 to 97
	21.11.2018	Official Record of Proceedings Pages 45 to 57
	20.3.2019	Official Record of Proceedings Pages 72 to 75
Panel on Constitutional Affairs	16.12.2019 (Item IV)	Agenda Minutes

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