

1 [Resolution opposing Article 23 of the Basic Law in Hong Kong.]

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3 **Resolution opposing the proposed Article 23 legislation in Hong Kong.**

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5 WHEREAS, On September 24, 2002, The Hong Kong Government published
6 proposals to implement Article 23 of the Basic Law, with the aim of enacting the relevant
7 legislation by July 2003; and,

8 WHEREAS, Article 23 of the Basic Law states: *The Hong Kong Special Administrative*
9 *Region shall enact laws on its own to prohibit any act of subversion, secession, sedition,*
10 *subversion against the Central People's Government, or theft of state secrets, to prohibit*
11 *foreign political organizations or bodies from conducting political activities in the region, and to*
12 *prohibit local political organizations or bodies from establishing ties with foreign political*
13 *organizations or bodies;* and,

14 WHEREAS, The Hong Kong government is not a republican form of government
15 democratically elected by the people it purports to govern; and

16 WHEREAS, Article 23 contains overbroad and vague language which could invoke
17 criminal prosecution and philosophical persecution based on expression of personal opinions
18 which, once passed into law, would seriously threaten an individual's fundamental rights of
19 freedom of information, belief, expression and peaceful association; and,

20 WHEREAS, Approximately 70% of the civic demonstrations in Hong Kong are from
21 union based organizations who often rely on freedom of association and peaceful assembly to
22 achieve their goals, it is likely that, with the implementation of Article 23, the very existence of
23 a union could be seen as a form of "sedition" and "subversion"; and,

24 WHEREAS, The vague and ambiguous wording of Article 23 could limit freedom of
25 thought, scholarly teaching and open discussion of ideas of the people of Hong Kong; and,

1 WHEREAS, The adoption of Article 23 could create a heavy-handed political
2 environment and seriously impact the investment and business environment in Hong Kong by
3 damaging Hong Kong's position, reputation, and prosperity as the most envied port of free
4 trade in the international market; and,

5 WHEREAS, When President Jiang Zemin of China first described the Falun Gong as
6 an "evil cult", the Chinese People's Congress immediately established the so-called "anti-cult
7 laws" which have been used as the basis to persecute its practitioners and will likely use the
8 same pretext under Article 23 to begin persecution of Falun Gong practitioners in Hong Kong;
9 and,

10 WHEREAS, On December 15, 2002, approximately 60,000 Hong Kong citizens took to
11 the streets in opposition to Article 23, and were joined philosophically by a dozen San
12 Francisco Bay Area organizations including the San Francisco Hong Kong Young People
13 Leadership Association, the Society of Hong Kong and Chinese Affairs-University of California
14 Berkeley, the Alliance of Hong Kong Chinese in the United States, the Asian Pacific American
15 Labor Alliance (APALA)- San Francisco Chapter, the San Francisco Freedom Forum, and
16 Chinese Democracy Education Foundation by holding a series of events unanimously
17 opposed to Article 23; and,

18 WHEREAS, These aforementioned organizations appeal to Chinese Nationals and
19 expatriates and other concerned people in San Francisco and the Bay Area to show their
20 concern regarding Article 23; now therefore, be it,

21 RESOLVED, That the City and County of San Francisco reaffirm our belief that
22 freedom of speech, the right to organize and peacefully assemble are essential rights of all
23 people; and be it,

24 FURTHER RESOLVED, That the City of San Francisco cautions that the adoption of
25 Article 23 abridges these rights; and be it,

1 FURTHER RESOLVED, The San Francisco Board of Supervisors direct the Clerk of
2 the Board to forward this resolution to Senator Barbara Boxer at 1700 Montgomery St., Suite
3 240, San Francisco, CA 94111; Senator Dianne Feinstein at One Post St., Suite 2450, San
4 Francisco, CA 94104; Colin S. Powell, U.S. Department of State, 2201 C Street NW,
5 Washington, DC 20520; Consul General Wang Yunxiang, 1450 Laguna Street, San
6 Francisco, CA 94115; The Honorable Tung Chee Hwa, Office of the Chief Executive, Hong
7 Kong Special Administrative Region, People Republic of China, 5/F, Central Government
8 Offices, Main Wing, Lower Albert Road, Hong Kong upon its final adoption.

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