

2003.2.26

**Speech by the Hon Mrs Selina Chow Liang Shuk-Yee,  
GBS, JP**  
**Motion Debate on Compendium of Submissions on the  
Consultation Document on Proposals to Implement  
Article 23 of the Basic Law, 26 February 2003**



Selina Chow:

Madam President, Ms Audrey EU said earlier that the purpose of enacting laws on Article 23 of the Basic Law (Article 23) was to deal a blow to the dissidents. Certainly, many people who oppose this legislation will subscribe to this view, for they may consider themselves as dissidents. No wonder they have been so resolute in opposing legislation on Article 23. To call a spade a spade, it is because they hold that legislation on Article 23 must not be made and they will exert themselves to oppose it, come what may. Since this is their established position, they will exhaust all means to block or delay legislation on Article 23, including this motion today and Dr YEUNG Sum's amendment. In fact, it is clear that this is the objective that they wish to achieve.

The amendment proposed by the Liberal Party is consistent with our attitude towards legislation on Article 23. That is, we aim to find out whether the Government has really committed mistakes in handling the submissions received during the consultation with an objective attitude and a cool head. So, Mr Howard YOUNG's amendment to Mr SIN Chung-kai's motion is proposed purely out of good intention. We proposed the amendment on the assumption that Mr SIN Chung-kai's motion has no ulterior purpose or an axe to grind. But Dr YEUNG Sum is very honest. He considers that the motion is not clear enough and so, he adds "a tail" to it, explaining why they are doing this. In fact, we know only too well what this is all about.

If, as alleged by Mr SIN Chung-kai, the Government has made mistakes, the Democratic Party is absolutely at liberty to suggest that the authorities be condemned and express regret at this. This is a matter of the perceived gravity of the problem, as different political parties and different Members will have different reactions or attitude in dealing with these mistakes. The Liberal Party does agree that some mistakes were made, and the Secretary has already apologized for them. Such being the case, how should we react? We should require the authorities to rectify the mistakes. This is what they should be doing, and this is what this Council should be doing too. If these are administrative mistakes or mistakes that have to do with compilation and yet, if we insist on ascribing this to conspiracy and seize every opportunity to

wrong the authorities, then we must ask whether this is necessary. In our view, this is not something that we should do.

I think it is most important that we must not allow ourselves to be led astray by some remarks, thinking that those mistakes were made in the Compendium of Submissions because the Government had refused to listen to public opinions. The only proof as to whether the Government has listened to public opinions is to examine whether it has made any improvement after the consultation. Only this is the best way to ascertain whether the Government has taken on board different major opinions. Certainly, no one would be entirely satisfied disregarding what opinions are accepted by the Government. I trust that every political party and even every individual may consider that there is still room for improvement. Doubtless, this will be the job of this Council after the introduction of the Blue Bill to the Legislative Council.

I am not sure whether it is in this morning or the morning yesterday when I heard the remarks of the Chairman of the Hong Kong Bar Association. Obviously, the Chairman of the Bar Association also considered that many improvements have been made by the Government after the consultation exercise. The Bar Association is now concerned about four areas only, and the Liberal Party also agrees with some of the concerns raised by them. We hope that during the deliberations of the Blue Bill, we can make the Government listen to as many of our voices as possible, so that improvements can be made as far as possible. In fact, the objective that we wish to achieve is to truly protect national security through legislation, rather than using legislation to deal a blow to the dissidents, so to speak. It is because Hong Kong is a free place where many people hold different opinions and in particular, they hold opinions that are different from the Government. This territory must be able to accommodate these opinions, and we must not allow these opinions to be suppressed by our laws. This is our duty. It is wrong to think that anything about protecting national security is meant to suppress views different from that of the Government. I think if we draw an equal sign between them, it would be unnecessary to hold any further discussions, and it would be unnecessary to further consider introducing legislation for this purpose. It is because if we do hold this view, then whatever we say, or whatever changes made, whatever discussions held or whatever improvements made to the provisions would actually be meaningless.

I must say that I am a bit puzzled now. We know that there are lots of views in the community, and people have been putting forward many different opinions and questioning the Government's proposals time and again. But having listened to these views, we found that their queries revolve around a couple of issues only, such as secret trial, state secrets, and so on. On these issues, we must examine them very carefully. But is it true that there are now far less queries about other issues? We should focus on the reality in our work, rather than only thinking about ways to

suppress the legislative procedures in relation to Article 23.