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Hong Kong

Statement on the Standing Committee of the National People's Congress's Decision by Three Hong Kong MPs

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Two young new representatives (Sixtus “Baggio” Leung, 30, and Yau Wai-ching, 25) were elected to Hong Kong’s legislative council in early September, carried into office by a wave of discontent at Beijing’s growing intervention in Hong Kong affairs. But the two newly-elected representatives used their swearing in ceremony to protest, unfurling flags that read “Hong Kong is not China”. On Monday, the Beijing government issued an interpretation of Hong Kong’s Basic Law that in effect bars them from taking up their parliamentary roles. [1]

1. Exploiting the controversy surrounding purportedly invalid oaths taken by some LegCo members, Beijing has imposed its power of interpretation under Article 158 of the Basic Law on Hong Kong, in effect to amend Article 104 and the Oaths and Declarations Ordinance. The Interpretation therefore presents itself as an undisguised effort to trample upon the Hong Kong legal system and the political rights of the people of Hong Kong, putting political reins on the democratic movement in Hong Kong in the name of curbing “Hong Kong independence”. Whilst Sixtus Leung Chung-hang and Yau Wai-ching will be the first to be strangled by these reins, Li Fei has made clear democratic self-determination and its supporters will be the next target. The reins will undoubtedly be tightened over time – all participants in the democratic movement must stand in solidarity, for no one is safe alone, in the face of such a dictatorship which sees any effort to strive for democracy as a secessionist threat to its rule and would clamp it down at all costs.

2. Street protests and direct confrontations with the police shall not be Hong Kong people’s only way out. In response to the fifth interpretation by the SCNPC, we expect the privileged legal sector would be more active than they were in previous occasions, resisting the tyranny of the Beijing Government: First, in the interest of safeguarding judicial independence, the Hong Kong Courts shall not surrender to the ultra vires “interpretation” by the SCNPC. Second, in view of the potential crises that may be caused as a result of Article 158, the legal sector shall consider and propose institutional reform and amendment of the article. Third, the Law Society of Hong Kong, the Hong Kong Bar Association as well as the legal education sector shall go beyond participating in a silent march, expressing the voices of concerned citizens.

3. Democratic self-determination as the ground to the latest wave of democratic movement has spoken for itself after five NPCSC interpretations. The Basic Law is never approved by the Hong Kong people itself. Its interpretation and amendment have been manipulated and dominated by the NPCSC. It no longer protects the democratic rights of Hong Kong people, let alone being used the basis of which our rights are violated. Without a democratically made Basic Law, genuine rule of law would not come. Self-determination means nothing else but to establish genuine democracy and rule of law. We call for courage in facing the “Basic flaw” of the basic law. Seize this opportunity to lead Hong Kong out of the deadlock to the ever continuing quasi amendment into the Basic Law – Set off for right direction, stay calm and heads up. We shall overcome the setback and build strength to our democracy.

November 8, 2016

Borderlessmovement

From their site [Borderless Movement](#).

[1] *The Guardian*, 8 November 2016: [“Hong Kong: lawyers and activists march against Beijing ‘meddling’”](#).