China-Hong Kong Relationship

Why in news?

China has pushed for an "improvement" in the Basic Law, which is the mini-constitution that defines ties between Hong Kong and Beijing.

What does this push mean?

- This push for improvement signals a fundamental change in the way the highly autonomous city-state is being ran.
- The remarks came a day before the opening of the Chinese parliament.
- In the Chinese parliament, a controversial national security law for Hong Kong is being mooted.
- The new law is being described as the most sweeping step at curbing dissent so far.
- This law seeks to ban "treason, secession, sedition and subversion".
- This law could be passed without consulting the Hong Kong legislature.

What is Hong Kong's 'Basic Law'?

- A former British colony, Hong Kong was handed over to mainland China in 1997, becoming one of its Special Administrative Regions.
- It is governed by a mini-constitution called the Basic Law, which affirms the principle of "**one country, two systems**".
- The constitutional document is a product of the 1984 Sino-British Joint Declaration.
- Under this Declaration, China promised to honour Hong Kong's liberal policies, system of governance, independent judiciary, and individual freedoms for a period of 50 years from 1997.
- Since the handover, Hong Kong residents have repeatedly protested to protect their Basic Law freedoms, with the first major pro-democracy protest taking place in 2003.
- In 2014, over one lakh city residents took part in the 'Umbrella Revolution' to protest against China's denial of democratic reforms.

What is the impact of the 2019 protests?

- The largest protests since the 1997 handover took place in 2019.
- Several Hong Kongers agitated against a proposed extradition law.

- They continued with pro-democracy marches even after the legislation was withdrawn.
- The large-scale protests were seen as an insult by mainland China.
- Therefore, China has increasingly adopted a more hard line approach to foreign policy and internal security issues in recent years.
- The Hong Kong unrest has left its mark on Taiwan, another prickly issue for Beijing, which considers the island state as its own.
- In presidential election 2020, Taiwanese voters brought to power the Democratic Progressive Party, which openly opposes joining China.

What is the proposed national security law?

- **Article 23** - Under Article 23 of the Basic Law, Hong Kong has to enact a national security law, which should
    1. Prohibit any act of treason, secession, sedition, subversion against the Central People's Government, or theft of state secrets,
    2. Prohibit foreign political organizations or bodies from conducting political activities in the Region, and
    3. Prohibit political organizations or bodies of the Region from establishing ties with foreign political organizations or bodies.
- When the Hong Kong government first tried to enact the law in 2003, the issue became a rallying point for the citywide protests that occurred that year.
- Since then, the government has steered clear of introducing the legislation again.
- **Annex III** - Beijing could make the law applicable to Hong Kong by inserting the legislation in Annex III of the Basic Law.
- Under Article 18, national laws can be applied in Hong Kong if they are placed in Annex III.
- These laws must be confined to those relating to defence and foreign affairs, and other matters outside the limits of the Region's autonomy.
- Once listed in Annex III, national laws can be enforced in the city by way of promulgation– meaning automatically being put into effect– or by legislating locally in the Special Administrative Region.
- Towards the end of May 2020, the Chinese parliament may vote on a resolution that will make way for the new law.
- This law could be promulgated in Hong Kong by end of June, 2020.

What could happen if such a law takes effect?

- The new law would ban seditious activities that target mainland Chinese rule, as well as punish external interference in Hong Kong affairs.
- Many expect a revival of the protests that rocked the city last year.

- A major blow to Hong Kong’s freedoms, the law could effectively bring the city under full control of mainland China.
- The move could also undermine Hong Kong’s position as an East Asian trading hub, and invite global disapproval for China.

Source: The Indian Express

