Protests in Hong Kong - Extradition Bill

Why in news?

Lakhs of protesters marched the streets of Hong Kong in the biggest protest since the Umbrella Revolution of September-December 2014.

What is the political status of Hong Kong?

- Hong Kong, at roughly 1,100 sq km, is smaller in size than Delhi, and is home to an estimated 7.4 million people.
- It was a British colony from 1841 until sovereignty was returned to China in 1997.
- Hong Kong is now part of China under the "one country, two systems" principle.
- Under this, the city of Hong Kong remains a semi-autonomous region with the Basic Law (the city's mini-constitution) for 50 years.
- This ensures that Hong Kong keeps its own judicial independence, its own legislature and economic system.
- It has its own laws and courts, and allows its residents a range of civil liberties.
- [The Umbrella Revolution/Umbrella Movement/Occupy Movement refers to a series of sit-in street protests in Hong Kong in Sep-Dec 2014.
- It was triggered over a decision regarding proposed reforms to the Hong Kong electoral system, and is largely a movement for democracy and autonomy.]

What is the extradition agreement status?

- Extradition agreement refers to arrangement in regards to surrender of person(s) accused of a crime.
- Hong Kong has entered into extradition agreements with 20 countries, including the UK and the US.
- When the extradition agreements for Hong Kong was finalised, Taiwan and mainland China were excluded.
- This was because of the different criminal justice systems that existed in those regions.
- China has steadily tried to deepen its influence in this regard, but an extradition agreement with it has never been reached.

What is the recent extradition Bill?

- The Fugitive Offenders and Mutual Legal Assistance in Criminal Matters Legislation (Amendment) Bill 2019 was proposed by Hong Kong's government in February, 2019.
- Carrie Lam, who became Chief Executive of Hong Kong in 2017 as the candidate favoured by Beijing, is pushing for the amendments.
- The Bill will allow the local government to extradite a suspect to places with which the city has no formal extradition accord.
- In effect, this would allow suspects accused of crimes such as murder and rape to be extradited to mainland China to face trial.
- Once the law is changed, Hong Kong will also handover to China individuals accused of crimes in Taiwan and Macau.
- [Macau, like Hong Kong, is a Chinese special administrative region with significant autonomy.
- Taiwan is seen as a sovereign state but its sovereignty is highly contended, and it has a tense relationship with China.]
- The government says that the proposed amendments would plug loopholes in the criminal justice system.
- The current shortfalls allow criminals evade trial elsewhere by taking refuge in Hong Kong and allow the city to be used by criminals.
- The government has assured that, under the bill, the courts in Hong Kong would make the final decision on extradition.
- Courts can specify that only certain categories of suspects would be liable.
- They can also lay down that individuals accused of political and religious offences would not be extradited.

What are the protesters' concerns?

- Despite government assurances, there is a firm concern that China would use the changed law to target political opponents in Hong Kong.
- Protestors highlight China's flawed justice system and thus there is a fear that extradited suspects would likely face torture.
- Also, there is a concern that the provision would deal another blow to Hong Kong's already declining autonomy.
- It would further erode the freedoms people enjoy under the Basic Law.
- [There are already instances of disqualifying elected lawmakers, banning activists from running for office, prohibiting political parties and expelling foreign journalists.]
- The recent march included people from the business community, lawyers, students, members of religious groups, and even housewives.

- The issue thus brings to light the tensions between the Hong Kong's Beijing-appointed elite rule, and the expectations of civil society and pro-democracy movement.
- In all, the Bill could affect Hong Kong's reputation as an international finance centre and also its judicial system.

What is the global reaction?

- The Human Rights Watch and the International Chamber of Commerce have warned against changing the law.
- A body of the US Congress has said that the amendment would make Hong Kong vulnerable to Chinese "political coercion".
- The UK and Canada as well have expressed concern over the potential impact on their citizens in Hong Kong.
- The EU has also sent a diplomatic note in this regard.
- But China has criticised the alleged "politicisation" of the Hong Kong proposal, and the "interference" in China's internal affairs.
- Moving forward, Beijing should reach out to the people of Hong Kong, alleviate their fears and concerns, and assure them of their guaranteed rights.

Source: The Hindu, The Indian Express

