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Activist chided over rights

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Xinhua (the New China News Agency) director Zhou Nan yesterday accused a Preparatory Committee member of opposing the Basic Law when he spoke out against the scrapping of parts of the Bill of Rights.

Frederick Fung Kin-kee, chairman of the Association for Democracy and People's Livelihood, said at the committee's sub-group meeting that the special status of the human rights bill enacted in 1991 was derived from the Letters Patent.

Thus, he said, the same power to override other laws would derive from Basic Law Article 39, which specifies the interna-

tional human rights conventions to be applied to Hong Kong. The Bill of Rights does not override the Basic Law, he said.

"I was then told that if I say the Bill of Rights enjoys an overriding status, I mean it overrides the Basic Law as well. In that case, I am against the Basic Law," Mr Fung said.

Other mainland legal experts rebuffed him, saying the Bill of Rights should not enjoy an overriding status over Hong Kong laws and that Article 39 could provide a shield against laws opposed to international agreements. Mr Fung said he could not agree with Mr Zhou.

Mr Fung handed in a petition letter to Preparatory Committee

chairman Qian Qichen (錢其琛) against the sub-group proposals before the opening of the two-day plenum.

► Some members maintained that amendments to legal sub-group proposals on human rights laws should be seen as a technical adjustment, not a softening of stance.

The sub-group has agreed the Societies Ordinance and the Public Order Ordinance only needed to be repealed in part.

Lo Tak-shing, a co-convenor of the legal sub-group, said the amendment had not changed the nature of the two ordinances' repeal. "They are just moving from this category to another . . . They will have the same result."