

**CHINA'S NATIONAL SECURITY LAW FOR
HONG KONG: THE ORIGINS, PROCESS
AND ITS CONTROVERSIAL ARTICLES (I)**

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Executive Summary

1. Hong Kong government's failure to pass Article 23 has been cited as the major reason for Beijing to take over the role of passing the Law of the People's Republic of China on Safeguarding Security in the Hong Kong Special Administrative Region (henceforth Hong Kong national security law) on 30 June 2020; 500,000 protesters blocked the passage of Article 23 on 1 July 2003.
2. Officially, the Hong Kong national security law has the objectives of safeguarding national security in preventing, suppressing and imposing punishment for the offences of secession, subversion, organisation and perpetration of terrorist activities, and collusion with a foreign country or with external elements to endanger the national security of the Hong Kong Special Administrative Region.
3. Both mainland Chinese and Hong Kong officials reassured their audiences that the law will only focus on a "narrow set of acts" that will not affect the majority of Hong Kong residents.
4. The four crimes of terrorism, collusion, secession and subversion carry sentences of three years in prison on the lighter side and five to 10 years in heavy penalties.
5. The failure of the passing of the anti-extradition bill in Hong Kong has strengthened Beijing (especially strongman President Xi Jinping's) resolve to push through the national security law.
6. For the timing of the law, China has indicated that it has waited long enough and its aim is to ensure social stability and for "prosperity" to prevail again.
7. Hong Kong's pro-Beijing forces argued that Beijing's decision to appoint an adviser and other measures was in fact to show their care, concern and sensitivity as China and Hong Kong had different political and legal systems.

8. The Hong Kong government is throwing its weight behind the central government's push for "national security education" and promised to report frequently to Beijing on progress made.
9. Hong Kong Chief Executive Carrie Lam has emphasised "the need and urgency for Hong Kong to establish and improve its legal system and enforcement mechanism to safeguard national security".
10. The Office for Safeguarding National Security of the Central People's Government in the Hong Kong Special Administrative Region has been tasked with gathering data, analysing the security situation in Hong Kong, providing advisory on important policies, and coordinating and supporting local Hong Kong security agencies.