



THE

LAW SOCIETY
OF HONG KONG
香港律師會

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From the President
會長信箋

致 傳媒編輯/ 採訪主任：

香港律師會會長就《基本法》第 23 條立法的公眾諮詢之回應

政府正式啟動《基本法》第 23 條立法的公眾諮詢。律師會將從法律角度詳細研究諮詢文件內所列的立法建議細節，如得出任何意見，將盡快向政府提交。

就《基本法》第 23 條立法，是香港特別行政區的憲制責任。第 23 條訂明，香港特別行政區「應自行立法」以禁止某些危害國家安全的行為。

本人認為，《基本法》第 23 條的立法工作，在履行上述憲制責任的同時，亦應適當保障香港居民的日常生活和商業活動、《公民權利及政治權利國際公約》及《經濟、社會與文化權利的國際公約》下的權利，在兩者之間取得恰當的平衡。

香港律師會會長 陳澤銘
2024 年 1 月 30 日



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From the President
會長信箋

Dear Editor / Assignment Editor,

**Response by President of The Law Society of Hong Kong to
Legislation of Article 23 of the Basic Law**

The Government has officially launched public consultation on the legislation of Article 23 of the Basic Law. The Law Society will carefully examine the details of the legislative proposal set out in the consultation document from the legal perspective. If we have any particular views, we will offer a submission to the Government as expeditiously as possible.

It is a constitutional duty of the Hong Kong SAR to legislate Article 23 of the Basic Law. Article 23 stipulates that the Hong Kong SAR “shall enact laws on its own” to prohibit certain acts that endanger national security.

In deliberating the legislation of Article 23, I believe that a proper balance should be struck between discharging the aforementioned constitutional duty on the one hand, and on the other hand giving due safeguards to the conduct of everyday lives of Hong Kong citizens and business activities, and the rights protected under the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.

C. M. Chan
President of The Law Society of Hong Kong
30 January 2024