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Macao: Stop the National Security Bill now

Amnesty International is calling on authorities in Macao to put a halt to the National Security Bill because it has the potential for abuse to become law.

“Once this bill becomes law, its vague and broad provisions could be used to imprison individuals merely for exercising their rights to freedom of expression and association,” said Roseann Rife, Amnesty International's Asia-Pacific Programme Deputy Director.

The Legislative Assembly of the Macao Special Administrative Region holds its plenary session on 25 February to discuss and vote on the National Security Bill. This comes after nine sessions of clause-by-clause discussion at the committee level during January and February. The bill was adopted in principle by the plenary on 5 January following an unreasonably short public consultation period of 40 days during October and November 2008.

“It is disappointing that the reviewing committee did not address the bill’s potential threats to human rights and made only minor changes to it,” said Roseann Rife. “By overlooking the potential for abuse in the existing draft, Macanese legislators will make Macao residents vulnerable.”

Recently several individuals have been denied entry into Macao. Among those recently barred was a Hong Kong press photographer who was attempting to cover the trial of former secretary for transport and public works Ao Man-long. More than 20 Hong Kong pan-democrats were also turned away when they attempted to participate in a demonstration connected to this national security bill in December 2008.

“Once the bill becomes law, it will only provide another government-sanctioned way to silence those who would protest, organize and otherwise express opinions that are unpopular”, said Roseann Rife.

The Macao Bill could also have a negative effect on Hong Kong, as the two special administrative regions share the same language in their Basic Laws calling for national security legislation under Article 23. The text of Macao’s national security law will inevitably influence Hong Kong’s future enactment of Article 23.

The various concerns expressed in Amnesty International’s open letter to Macao’s Chief Executive in January and in a submission during the consultation period in 2008 remain. The bill should be postponed until all vague terms have been clearly defined in accordance with international human rights law and standards including Article 19 of the International Covenant on Civil and Political Rights (ICCPR), which applies to Macao.

Background

Between 22 October and 30 November 2008, the Macao government conducted a 40-day public consultation

concerning the implementation of Macao's Basic Law Article 23 on national security. The government amended the content and submitted the bill to the legislature in December. On 5 January, the legislature adopted the bill in principle with only two votes against and one abstention. Between January and February, the Second Standing Committee responsible for reviewing the bill article by article met nine times and slightly revised the bill by lowering the minimum jail terms for treason, secession and subversion of the Central People's Government, as well as changing the effective date of the law to the next day after promulgation.

Amnesty International's submission to the Macao authorities during the public consultation conducted in October and November 2008 is available at:

<http://www.safp.gov.mo/download/basiclaw23/20081129/PE0066.pdf>

The organization's open letter to Edmund Ho, Chief Executive of Macao Special Administrative Region, dated 20 January, as well as an English translation of the bill submitted to the Legislative Assembly in December 2008 are available here: <http://www.amnesty.org/en/library/info/ASA27/002/2009/en>