

104TH CONGRESS
2^D SESSION

S. RES. 271

Expressing the sense of the Senate with respect to the international obligation of the People's Republic of China to allow an elected legislature in Hong Kong after June 30, 1997, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 26, 1996

Mr. HELMS, from the Committee on Foreign Relations, reported the following original resolution; which was placed on the calendar

JUNE 28, 1996

Considered and agreed to

RESOLUTION

Expressing the sense of the Senate with respect to the international obligation of the People's Republic of China to allow an elected legislature in Hong Kong after June 30, 1997, and for other purposes.

Whereas under the Sino-British Joint Declaration on the Question of Hong Kong of 1984, the People's Republic of China will assume sovereignty over Hong Kong on July 1, 1997.

Whereas both the People's Republic of China and Great Britain committed themselves to the Joint Declaration's explicit provisions for Hong Kong's future;

Whereas the Joint Declaration is a binding international agreement registered at the United Nations that guarantees Hong Kong a “high degree of autonomy” except in defense and foreign affairs, an elected legislature, an executive accountable to the elected legislature, and an independent judiciary with final power of adjudication over Hong Kong law;

Whereas the United States-Hong Kong Policy Act of 1992 expresses the support of the United States Congress for full implementation of the Joint Declaration and declared that—

(1) the United States has a “strong interest in the continued vitality, prosperity, and stability of Hong Kong”;

(2) “the human rights of the people of Hong Kong are of great importance to the United States and are directly relevant to United States interests in Hong Kong”;

(3) “a fully successful transition in the exercise of sovereignty over Hong Kong must safeguard human rights in and of themselves”; and

(4) “human rights also serve as a basis for Hong Kong’s continued economic prosperity”;

Whereas on September 17, 1995, the Legislative Council was elected for a 4-year term expiring in 1999;

Whereas the election of Hong Kong’s legislature is the cornerstone of the principle that the people of Hong Kong shall enjoy “one country, two systems” after the Govern-

ment of the People's Republic of China assumes sovereignty over Hong Kong; and

Whereas the Government of the People's Republic of China and its appointed Preparatory Committee have announced their intention to abolish the elected Legislative Council and appoint a provisional legislature: Now, therefore, be it

1 *Resolved*, That (a) the Senate finds that—

2 (1) respect for Hong Kong's autonomy and
3 preservation of its institutions will contribute to the
4 stability and economic prosperity of the region; and

5 (2) the United States has an interest in compli-
6 ance with treaty obligations.

7 (b) It is the sense of the Senate that—

8 (1) the People's Republic of China and the
9 United Kingdom should uphold their international
10 obligations specified in the Joint Declaration, includ-
11 ing the commitment to an elected legislature in
12 Hong Kong after June 30, 1997;

13 (2) the establishment of an appointed legisla-
14 ture would be a violation of the Joint Declaration,
15 and the People's Republic of China should allow the
16 Legislative Council elected in September 1995 to
17 serve its full elected term; and

18 (3) the President and the Secretary of State
19 should communicate to the People's Republic of
20 China and to the Hong Kong government and Legis-

1 lative Council the full support of the United States
2 Government and the people of the United States for
3 Hong Kong's autonomy and the interest of the Unit-
4 ed States in full compliance by both the People's Re-
5 public of China and Great Britain with the Joint
6 Declaration as a matter of international law.

7 SEC. 2. As used in this resolution, the term "Joint
8 Declaration" means the Joint Declaration of the Govern-
9 ment of the United Kingdom of Great Britain and North-
10 ern Ireland and the Government of the People's Republic
11 of China on the Question of Hong Kong, done at Beijing
12 on December 19, 1984.

13 SEC. 3. The Secretary of State shall transmit a copy
14 of this resolution to the President and the Secretary of
15 State.

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