

LCQ19: Combating advocacy of Hong Kong independence in universities

Following is a question by the Dr Hon Priscilla Leung and a written reply by the Secretary for Education, Mr Kevin Yeung, in the Legislative Council today (May 26):

Question:

It has been reported that in recent years, the executive committees of the students' unions (SUs) of a number of universities have publicly made remarks in support of "Hong Kong independence", self-determination etc. which violate the Constitution, the Basic Law, "one country, two systems" and the National Security Law for Hong Kong. In this connection, will the Government inform this Council:

(1) in respect of the 10 publicly funded institutions (i.e. the eight universities funded through the University Grants Committee, The Hong Kong Academy for Performing Arts funded directly, and The Open University of Hong Kong, some courses and research projects of which are funded, by the Government), whether it knows the following information of each of the institutions: (i) whether the SU is an independently registered society or body corporate, (ii) whether the SU has used the facilities of the institution for purposes such as offices and democracy walls, and has been entrusted with the management rights of such facilities, (iii) whether the SU membership fees are collected by the institution on behalf of the SU, and (iv) whether it is set out in the institution's statutes that the SU's representatives are ex-officio members of its Council; and

(2) whether the Education Bureau gained last year an understanding from the aforesaid institutions about (i) how they had handled their conflicts with the SUs in respect of making remarks in support of Hong Kong independence, and (ii) the new measures put in place by them in recent years to combat the infiltration of the idea of Hong Kong independence into school campuses and to ensure that the facilities in school campuses would not be used by the SUs for the purpose of advocating Hong Kong independence?

Reply:

President,

(1) The eight University Grants Committee (UGC)-funded universities, The Open University of Hong Kong (OUHK) and The Hong Kong Academy for Performing Arts (HKAPA) are institutions established pursuant to their respective laws. In accordance with the powers vested upon Councils and procedures prescribed under these relevant laws, they handle management matters, including campus management and student affairs.

The students' unions (SUs) of the abovementioned institutions are not subordinate to their institutions, and operate independently in accordance with their constitutions. The work relationship between the institutions and their SUs is part of the administration handled by the institutions individually and varies between the institutions. The institutions shall ensure that their operations comply with the law. As with other individuals, organisations and institutions, the SUs are required to abide by the laws of Hong Kong, which includes registering with the relevant authorities under applicable laws.

It is understood that the SUs of the City University of Hong Kong (CityU), the Hong Kong Baptist University (HKBU), the Lingnan University (LU), The Hong Kong Polytechnic University (PolyU), The Hong Kong University of Science and Technology (HKUST), OUHK and HKAPA are allowed to use and/or manage specific on-campus facilities. In terms of membership fee collection on behalf of the SUs, HKBU, LU, The Education University of Hong Kong, PolyU, HKUST and HKAPA currently have such an arrangement.

In accordance with the relevant laws of the institutions, the Presidents of the SUs of CityU, HKBU, LU and OUHK are ex-officio members of the Councils. There is no such arrangement for other institutions.

(2) The Government has all along been respecting institutional autonomy and academic freedom, and at the same time requesting the institutions to uphold good governance and accountability to the public while ensuring that their operations comply with the law and meet the interests of students and the community at large. With the implementation of The Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region (NSL), the institutions are introducing measures to enhance campus management and to require the SUs and their members to comply with the law including the NSL. The institutions shall also promote national security education to raise the awareness of national security and of the obligation to abide by the law among staff members and students. We note that some UGC-funded universities have recently issued statements on the administrative support and facility management matters for their SUs with a view to clarifying the work relationship and legal obligations between the institutions and their SUs.

As always, the Education Bureau will maintain close liaison with post-secondary education institutions to ensure that the latter's operations continue to meet the interests of the community at large, so as to enable them to focus on research and academic development, strive for academic excellence, and seize the unprecedented opportunities presented by the developments of our country and the region, and technological advancements.