

Macao national security law threatens human rights

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A bill passed by the legislature in the Macao Special Administrative Region on Wednesday 25 February could potentially be misused to abuse the rights of the territory's residents.

The National Security Bill, which now becomes law and covers acts of sedition, secession, subversion and treason against the Central People's Government of China, was passed during the plenary session of the Legislative Assembly of the Macao Special Administrative Region. Many terms in the law are not clearly defined.

"The National Security Law has vague and broad provisions that 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 law's Article 3 deals with subversion. In the article there is no definition of the term "other grave illegal acts". This means the law could be used to punish non-violent demonstrations or strikes that are interpreted as "attempting to overthrow the Central People's Government" or "restrict its functions". This would criminalize peaceful expression of opinion on issues the government considers sensitive.

The broad scope of Article 4 fails to limit the crime of sedition to clear and serious offences, such as violent acts to persons or property. This allows the authorities to misuse the law to criminalize thoughts in books, articles or public speeches, which in turn could effect press freedom and limit open discussion on politically-sensitive topics.

Article 5: *theft of state secrets*, allows the introduction to Macao of the extensive, vague, and retroactive state secrets system used in mainland China. Numerous people have already been intimidated, detained and punished under this system in the mainland for peacefully exercising free speech or association.

The plenary of the legislature adopted the bill in principle on 5 January, following an unreasonably short public consultation period of 40 days during October and November 2008.

Wednesday's vote came after nine sessions of clause-by-clause discussion at committee level during January and February. The reviewing committee slightly revised the bill by lowering the minimum jail terms for treason, secession and subversion as well as pushing forward the effective date.

Amnesty International has repeatedly urged the Macao authorities to postpone the legislative process until all vague terms had been clearly defined in accordance with international human rights law and standards including Article 19 of the International Covenant on Civil and Political Rights, which applies to Macao.

Recently several individuals have been denied entry into Macao. Among those barred was a Hong Kong press photographer who was attempting to cover the vote on the national security bill and the trial of former secretary for transport and public works Ao Man-long.

More than 20 individuals from Hong Kong including pan-democrats were also turned away when they attempted to participate in a demonstration connected to this national security bill in December 2008.

"The law will provide another government-sanctioned way to silence those who would protest, organize and otherwise express opinions that are unpopular", said Roseann Rife.