香港維護國家安全的责任

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2 0 2 3 年

12月7日

以下哪些國家沒有與國家安全相關的法例?











南韓



日本



新加坡



以下哪些國家沒有與國家安全相關的法例?

美國



《美國法典》第18章 《美國國家安全局法 1959》

《國家安全法案1947》

《國家安全教育法》

《反情報和安全促進法》

《中央情報局法》

《國土安全法》

《間諜法》

《外國情報偵察法》

《反經濟間諜法》

《美國愛國者法》

• • • • •



《英國叛逆重罪法 1848》 《反恐和邊境安全法案》

• • • • •

南韓



《國家保安法》

澳洲



《刑事法1995》

《國家安全立法修正案

(間諜活動及外國干預) 法案》

「外國影響力透明化法案」

• • • • • •

日本



《刑法》第二編第三章 -「外患誘致」、「外患援助」 《刑法》第一編第八章 -

「騷亂罪」

《特定秘密保護法》

《組織犯罪處罰法修正案》

• • • • •

德國



德國《刑法》 第94-99條

••••

加拿大



《加拿大刑法》第46條《國家安全法案 2017》

••••

新加坡



《刑法(第224章)》第六章 《國內安全法(Internal Security Act)》

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外國國家安全立法狀況

統一立法模式

美國:《警衛團法》、《國家安全法》、《統一軍事法》、《戰爭權力決議案》、 《國家緊急狀態法》、《外國情報監控法》、《國土安全法》、《情報改革和恐怖 主義預防法》、《美國自由法案》、《愛國者法案》、《美國法典第18卷》

俄羅斯:《俄羅斯聯邦國家安全法》、《俄羅斯聯邦偵緝行動法》、《俄羅斯聯邦國家安全機關法》、《俄羅斯聯邦對外情報機關法》

韓國:《國家保安法》

分散立法模式

英國:《1351年叛逆法》、《1795年叛逆法》、《1797年煽動叛變罪法》、《1848年叛逆重罪法》。

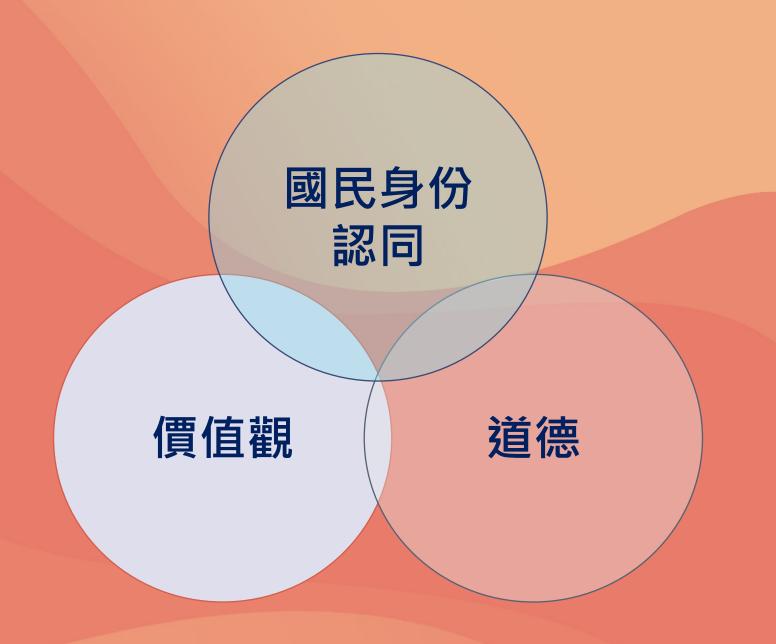
澳大利亞:《澳洲刑法典1995》

德國:《聯邦德國刑法典》



2019年,「加泰獨立運動」9名主謀因煽動叛亂而被判重刑,9到13年不等。

對於這一判決,歐盟及成員國均支持西班牙反對國家分裂的立場。



什麼是國家安全?

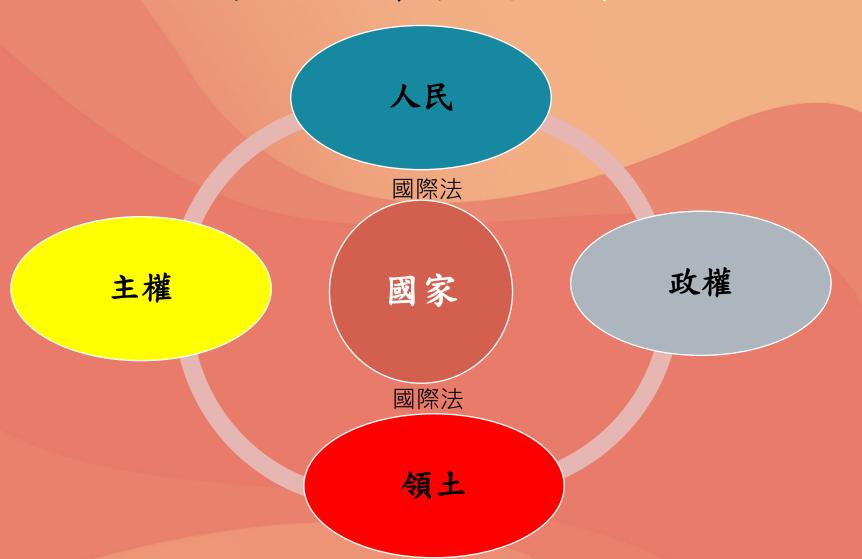
「國家安全是指國家政權、主權、統一和領土完整、人民福址、經濟社會可持續發展和國家其他重大利益相對處於沒有危險和不受內外威脅的狀態,以及保障持續安全狀態的能力。」

為什麼是國家?

國家是在國際交往中的基本單位、國家是人們生活和對社會管理的最基本單位。



國際法下什麼是國家?



總體國家安全觀(2014年4月首次提出)

20個安全領域包括-

傳統安全:

政治安全、國土安全、軍事安全、社會安全

非傳統安全:

經濟安全、金融安全、資源安全、文化安全(例如文化多樣性和少數民族文化保護)、科技安全(科技能力自主自強)、網絡安全、核安全、生態安全、海外利益安全、糧食安全

新發展下的新型安全需求:

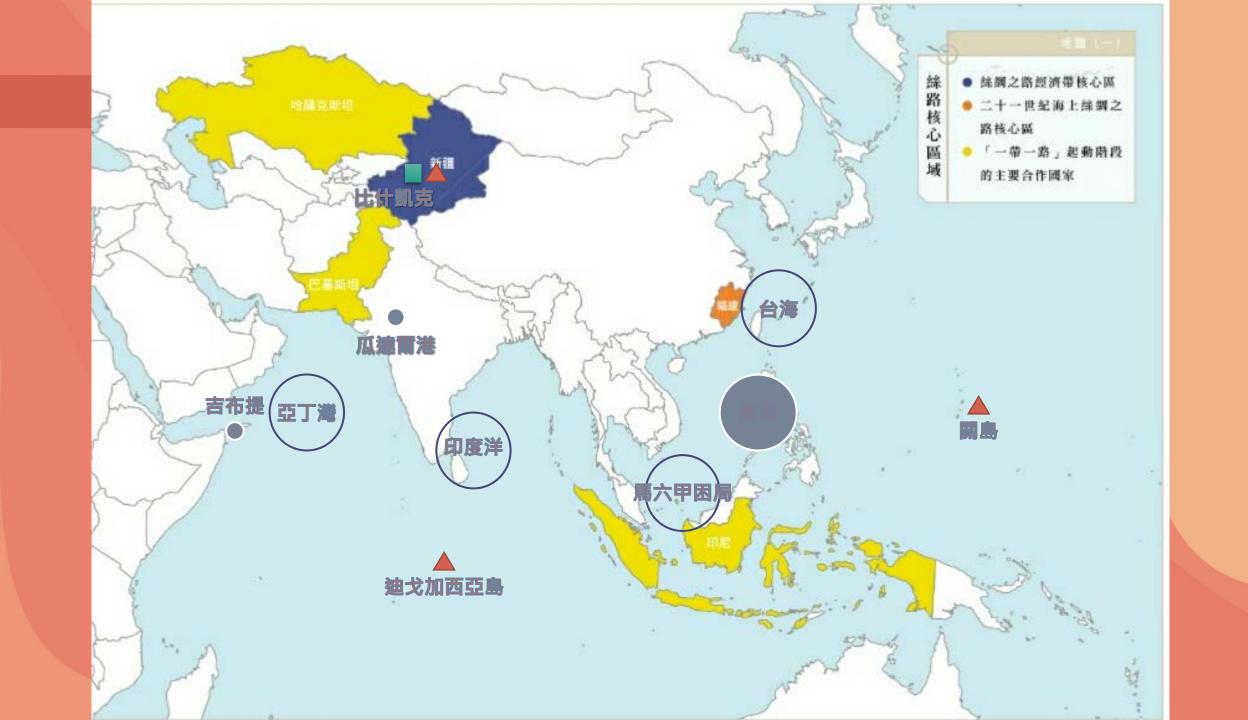
太空安全、深海安全、極地安全、生物安全、人工智能安全、數據安全



圖片來源:全民國家安全教育日二零二零網頁

《香港國安法》——政治安全、國土安全

- 1. 分裂國家、顛覆國家政權(目的犯罪)
- 2. 組織實施恐怖活動等嚴重危害國家安全的行為、勾結外國和境外勢力。(手段犯罪)



社會安全

- Public Security 公共安全
- Public Health 公共衞生
- Public Emergency 群體性突發事件
- Terrorist Attack 恐襲



網絡安全

如何避免在網絡世界成為受害者?

認識科技罪案

- >網上購物騙案
- ▶網上交友陷阱
- ▶社交媒體騙案
- >網上銀行騙案
- ▶電腦勒索軟件攻擊
- > 電郵騙案

確保網絡安全

- ▶個人資料安全
- ▶人身及財產安全
- >人電腦安全
- ▶帳戶資料安全

經濟安全

貨幣體系

- > 聯繫匯率制度
- > 維持貨幣穩定
- > 鈔票防偽技術



銀行體系

監管

制度

證券市場

支付系統

保險市場

資源安全

石油安全



天然氣安全



煤炭安全



礦產安全



水資源安全



圖片來源:全民國家安全教育日二零二零網頁





圖片來源:水務署網頁

核安全

- 維持核能運用達至正常狀態
- 預防/減輕核能事故的後果
- 保護工作人員、公眾和環境免受過量的輻射危害



人造太陽

立法 規管

核安全法、放射性污染防治法等 民用核设施安全监督管理条例等 核电厂设计安全规定等 核电厂设计中的质量保证等

《中国的核安全》白皮书

理性 协调 并进 走中国特色核安全之路

中国的核安全

(2019年9月)

中华人民共和国 国务院新闻办公室



國際核事故分級表

7

福島核事故

• 切爾諾貝爾核事故

6

重大事故

5

具有廣泛後果的事故 · 三哩島核事故

4

具有局部後果的事故

3

嚴重事件

2

事件

1

異常情況

0

低於本表級別 在安全上無重要意義

圖片來源:天文台網頁

图1 中国核安全法规体系

生態安全









文化安全

- 語言文字
- 風俗習慣
- 價值觀念
- 生活方式











生物安全

《中華人民共和國生物安全法》, 2021年4月15日



Preventing and controlling a major new or sudden outbreak of an infectious disease or an epidemic in animals or plants. 防控重大新發突發傳染病、動植物疫情



Researching, developing, and applying biotechnology 生物技術研究、開發與應用

Biosecurity management of pathogenic microbe laboratories 病原微生物實驗室生物安全管理

Biosecurity management of human genetic resources and biological resources



人類遺傳資源與生物資源安全管理

Responding to antimicrobial resistance 應對微生物耐藥

Preventing the invasion of alien species and protecting biodiversity 防範外來物種入侵與保護生物多樣性

Preventing biological terrorist attacks and defending against biological weapon threats

防範生物恐怖襲擊與防禦生化武器威脅

《中華人民共和國香港特別行政區維護國家安全法》

"Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region"

2020年6月30日23:00生效

- Secession 分裂國家罪
- Subversion 顛覆國家政權罪
- Terrorist Activities 恐怖活動罪
- Collusion with a Foreign Country or with External Elements to Endanger National Security 勾結外國或者境外勢力危害國家安全罪

《中華人民共和國香港特別行政區維護國家安全法》

(2020年6月30日第十三屆全國人民代表大會常務委員會 第二十次會議通過)

目錄

第一章 總則

第二章 香港特別行政區維護國家安全的職責和機構

第一節 職責

第二節 機構

第三章 罪行和處罰

第一節 分裂國家罪

第二節 顛覆國家政權罪

第三節 恐怖活動罪

第四節 勾結外國或者境外勢力危害國家安全罪

第五節 其他處罰規定

第六節 效力範圍

第四章 案件管轄、法律適用和程序

第五章 中央人民政府駐香港特別行政區維護國家安全機構

第六章 附則

Chapter III: Offences and Penalties - Secession 分裂國家罪

Article 20 A person who organises, plans, commits or participates in any of the following acts, whether or not by force or threat of force, with a view to committing secession or undermining national unification shall be guilty of an offence:

- (1) Separating the Hong Kong Special Administrative Region or any other part of the People's Republic of China from the People's Republic of China;
- (2) Altering by unlawful means the legal status of the Hong Kong Special Administrative Region or of any other part of the People's Republic of China; or
- (3) **Surrendering** the Hong Kong Special Administrative Region or any other part of the People's Republic of China **to a foreign country**.

任何人組織、策劃、實施 或者參與實施以下旨在分 裂國家、破壞國家統一行 為之一的,不論是否使用 武力或者以武力相威脅, 即屬犯罪:

- (一)將香港特別行政區或者中華人民共和國其他任何部分從中華人民共和國分離出去;
- (二)非法改變香港特別行政區 或者中華人民共和國其他任何部 分的法律地位;
- (三)將香港特別行政區或者中華人民共和國其他任何部分轉歸 外國統治。

Chapter III: Offences and Penalties - Secession 分裂國家罪

Article 21 A person who incites, assists in, abets or provides pecuniary or other financial assistance or property for the commission by other persons of the offence under Article 20 of this Law shall be guilty of an offence.

任何人煽動、協助、教唆、 以金錢或者其他財物資助 他人實施本法第二十條規 定的犯罪的,即屬犯罪:

Article 20

principal offender / a person who commits an offence of a grave nature:

life / not less than ten years imprisonment

首要分子/罪行重大: 無期徒刑/十年以上有期徒刑

actively participates: imprisonment 3-10 years 積極參加:三年以上十年以下有期徒刑

other participates: imprisonment of not more than 3 years, short-term detention or restriction 其他參加: 三年以下有期徒刑、拘役或者管制

Article 21

serious nature: imprisonment 5-10 years

情節嚴重:五年以上十年以下有期徒刑

minor nature: imprisonment of not more than 5 years,

short-term detention or restriction

情節較輕:五年以下有期徒刑、拘役或者管制

Chapter III: Offences and Penalties – Subversion 顛覆國家政權罪

Article 22 A person who organises, plans, commits or participates in any of the following acts by force or threat of force or other unlawful means with a view to subverting the State power shall be guilty of an offence:

- (1) overthrowing or undermining the basic system of the People's Republic of China established by the Constitution of the People's Republic of China;
- (2) overthrowing the body of central power of the People's Republic of China or the body of power of the Hong Kong Special Administrative Region;
- (3) seriously interfering in, disrupting, or undermining the performance of duties and functions in accordance with the law by the body of central power of the People's Republic of China or the body of power of the Hong Kong Special Administrative Region; or
- (4) attacking or damaging the premises and facilities used by the body of power of the Hong Kong Special Administrative Region to perform its duties and functions, rendering it incapable of performing its normal duties and functions.

任何人組織、策劃、實施或 者參與實施以下以武力、威 脅使用武力或者其他非法手 段旨在顛覆國家政權行為之 一的,即屬犯罪:

- (一)推翻、破壞中華人民共和國憲法所確立的中華人民共和國根本制度;
- (二)推翻中華人民共和國中央 政權機關或者香港特別行政區<mark>政</mark> 權機關;
- (三)嚴重干擾、阻撓、破壞中華人民共和國中央政權機關或者香港特別行政區政權機關依法履行職能;
- (四)攻擊、破壞香港特別行政 區政權機關履職場所及其設施, 致使其無法正常履行職能。

Chapter III: Offences and Penalties – Subversion 顛覆國家政權罪

Article 23 A person who incites, assists in, abets or provides pecuniary or other financial assistance or property for the commission by other persons of the offence under Article 22 of this Law shall be guilty of an offence.

任何人煽動、協助、教唆、 以金錢或者其他財物資助 他人實施本法第二十二條 規定的犯罪的,即屬犯罪:

Article 22

principal offender / a person who commits an offence of a grave

nature: life / not less than ten years imprisonment

首要分子/罪行重大: 無期徒刑/十年以上有期徒刑

actively participates: imprisonment 3-10 years

積極參加: 三年以上十年以下有期徒刑

other participates: imprisonment of not more than 3 years, short-term detention or restriction 其他參加:三年以下有期徒刑、拘役

或者管制

Article 23

serious nature: imprisonment 5-10 years

情節嚴重:五年以上十年以下有期徒刑

minor nature: imprisonment of not more than 5 years,

short-term detention or restriction

情節較輕:五年以下有期徒刑、拘役或者管制

Chapter III: Offences and Penalties – Terrorist Activities 恐怖活動罪

Article 24 A person who organises, plans, commits, participates in or threatens to commit any of the following terrorist activities causing or intended to cause grave harm to the society with a view to coercing the Central People's Government, the Government of the Hong Kong Special Administrative Region or an international organisation or intimidating the public in order to pursue political agenda shall be guilty of an offence:

- (1) serious violence against a person or persons;
- (2) explosion, arson, or dissemination of poisonous or radioactive substances, pathogens of infectious diseases or other substances;
- (3) sabotage of means of transport, transport facilities, electric power or gas facilities, or other combustible or explosible facilities;
- (4) serious interruption or sabotage of electronic control systems for providing and managing public services such as water, electric power, gas, transport, telecommunications and the internet; or
- (5) other dangerous activities which seriously jeopardise public health, safety or security.

為脅迫中央人民政府、香港特別行政區政府或者國際組織或者國際組織或者國際出灣主張,組織、策劃、實施、參與實施或者威脅實施以下造成或者意圖造成嚴重社會危害的恐怖活動之一的,即屬犯罪:

- (一)針對人的嚴重暴力
- (二)爆炸、縱火或者投放毒害性、放射性、傳染病病原體等物質;
- (三)破壞交通工具、交通設施、電力設備、燃氣設備或者其他易燃易爆設備;
- (四)嚴重干擾、破壞水、電、燃氣、交通、通訊、網路等公共服務和管理的電子 控制系統;
- (五)以其他危險方法嚴重危害公眾健康 或者安全。

Chapter III: Offences and Penalties – Terrorist Activities 恐怖活動罪

Article 25 A person who organises or takes charge of a terrorist organisation shall be guilty of an offence

組織、領導恐怖活動組織的,即屬犯罪

Article 26 A person who provides support, assistance or facility such as training, weapons, information, funds, supplies, labour, transport, technologies or venues to a terrorist organisation or a terrorist, or for the commission of a terrorist activity; or manufactures or illegally possesses substances such as explosive, poisonous or radioactive substances and pathogens of infectious diseases or uses other means to prepare for the commission of a terrorist activity, shall be guilty of an offence.

Article 27 A person who advocates terrorism or incites the commission of a terrorist activity shall be guilty of an offence.

宣揚恐怖主義、煽動實施恐怖 活動的

Chapter III: Offences and Penalties – Terrorist Activities 恐怖活動罪

Article 24

Causing serious bodily injury, death or significant loss of public or private property: life / not less than ten years 致人重傷、死亡或者使公私財產遭受重大損失的: 無期徒刑 / 十年以上有期徒刑

other circumstances: imprisonment 3-10 years

其他情形:三年以上十年以下有期徒刑

Article 25

organizes or takes charge of : life / not less than ten years imprisonment, confiscation of property

組織、領導:無期徒刑 / 十年以上有期徒刑,沒收財產 actively participates: imprisonment 3-10 years, criminal fine

積極參加: 三年以上十年以下有期徒刑,罰金

other participates: imprisonment of not more than 3 years, short-

term detention or restriction, liable to a criminal fine

其他參加: 三年以下有期徒刑、拘役或者管制,可以罰金

Article 26

serious nature: imprisonment 5-10 years, criminal fine or

confiscation of property

情節嚴重:五年以上十年以下有期徒刑,

罰金或沒收財產

other circumstances: imprisonment of not more than 5 years, short-term detention or restriction, criminal fine

其他情形: 五年以下有期徒刑、拘役或者管制,罰金

Article 27

serious nature: imprisonment 5-10 years, criminal fine or

confiscation of property

情節嚴重:五年以上十年以下有期徒刑,

罰金或沒收財產

other circumstances: imprisonment of not more than 5 years, short-term detention or restriction, criminal fine

其他情形:五年以下有期徒刑、拘役或者管制,罰金

Chapter III: Offences and Penalties – Collusion with a Foreign Country or with External Elements to Endanger National Security 勾結外國或者境外勢力危害國家安全罪

Article 29 A person who steals, spies, obtains with payment, or unlawfully provides State secrets or intelligence concerning national security for a foreign country or an institution, organisation or individual outside the mainland, Hong Kong, and Macao of the People's Republic of China shall be guilty of an offence; a person who requests a foreign country or an institution, organisation or individual outside the mainland, Hong Kong, and Macao of the People's Republic of China, or conspires with a foreign country or an institution, organisation or individual outside the mainland, Hong Kong, and Macao of the People's Republic of China, or directly or indirectly receives instructions, control, funding or other kinds of support from a foreign country or an institution, organisation or individual outside the mainland, Hong Kong, and Macao of the People's Republic of China, to commit any of the following acts shall be guilty of an offence:

為外國或者境外機構、組織、人員竊取、刺探、收買、非法提供涉及國家安全的國家秘密或者情報的;

Chapter III: Offences and Penalties – Collusion with a Foreign Country or with External Elements to Endanger National Security 勾結外國或者境外勢力危害國家安全罪

Article 29

- (1) waging a war against the People's Republic of China, or using or threatening to use force to seriously undermine the sovereignty, unification and territorial integrity of the People's Republic of China;
- (2) seriously disrupting the formulation and implementation of laws or policies by the Government of the Hong Kong Special Administrative Region or by the Central People's Government, which is likely to cause serious consequences;
- (3) rigging or undermining an election in the Hong Kong Special Administrative Region, which is likely to cause serious consequences;
- (4) imposing sanctions or blockade, or engaging in other hostile activities against the Hong Kong Special Administrative Region or the People's Republic of China; or
- (5) provoking by unlawful means hatred among Hong Kong residents towards the Central People's Government or the Government of the Region, which is likely to cause serious consequences.

- (一)對中華人民共和國發動戰爭, 或者以武力或者武力相威脅,對中 華人民共和國主權、統一和領土完 整造成嚴重危害;
- (二)對香港特別行政區政府或者中央人民政府制定和執行法律、政策進行嚴重阻撓並可能造成嚴重後果;
- (三)對香港特別行政區<mark>選舉進行</mark> 操控、破壞並可能造成嚴重後果;
- (四)對香港特別行政區或者中華 人民共和國進行制裁、封鎖或者採 取其他敵對行動;
- (五)通過各種非法方式引發香港 特別行政區居民對中央人民政府或 者香港特別行政區政府的憎恨並可 能造成嚴重後果。

Chapter III: Offences and Penalties – Collusion with a Foreign Country or with External Elements to Endanger National Security 勾結外國或者境外勢力危害國家安全罪

Article 29

The institution, organisation and individual outside the mainland, Hong Kong, and Macao of the People's Republic of China referred to in the first paragraph of this Article shall be convicted and punished for the same offence.

本條第一款規定涉及的境外機構、組織、人員,接共同 犯罪定罪處刑。

Article 29

commits the offence: imprisonment 3-10 years 犯前款罪:三年以上十年以下有期徒刑

Commits an offence of a grave nature: life / not

less than ten years imprisonment

罪行重大: 無期徒刑/十年以上有期徒刑

Article 30 A person who conspires with or directly or indirectly receives instructions, control, funding or other kinds of support from a foreign country or an institution, organisation, or individual outside the mainland, Hong Kong, and Macao of the People's Republic of China to commit the offences under Article 20 or 22 of this Law shall be liable to a more severe penalty in accordance with the provisions therein respectively.

為實施本法第二十條、第二十二條規定的犯罪,與外國或者境外機構、組織、人員串謀,或者直接或者間接接受外國或者境外機構、組織、人員的指使、控制、資助或者其他形式的支援的,依照本法第二十條、第二十二條的規定從重處罰。

Law Enforcement: Dual Track System 執法:雙軌制

- 1. Law enforced in Hong Kong, trails conducted in Hong Kong 香港執法、香港法庭審判為基本
 - Establish the (1) Committee for Safeguarding National Security of the Hong Kong Special Administrative Region, (2) the Hong Kong Police Force (law enforcement agency), (3) the Department of Justice (prosecution department), (4) the National Security Advisor (appointed by the Central Government), (5) Office for Safeguarding National Security of the Central People's Government (supervision, guidance, coordination and support).
 - 在香港成立(1)維護國家安全委員會、由(2)香港員警主要執法(專門部門)、(3)律政司(專門檢控部門)、(4) 國家安全事務顧問(由中央政府指派)、(5)駐香港特別行政區維護國家安全公署(監督、指導、協調、支持)。

Law Enforcement: Dual Track System 執法:雙軌制

- Hong Kong courts:
- Basically, trials should be conducted openly, but in some exceptional cases, closed trials may also be conducted. The jury system has to be applied reasonably.
- 以公開審理為基礎,不公開為例外;但需要合理使用陪審員。
- Exceptions may apply when state secrets or foreign factors are involved, or the personal safety of the juror or his family has to be protected. If no jurors are available, a three-judge trail is required.
- 但有例外如保護國家秘密、涉外因素、為保障陪審員及其家人的人身安全; 如沒有陪審員,則需要三名法官審理。

Law Enforcement: Dual Track System 執法: 雙軌制

2. The Office may exercise jurisdiction under any of the following three conditions:

有三類例外情況,由公署行使管轄權

Suggested by the HKSAR Government or the Office for Safeguarding National Security of the Central People's Government, and approved by the Central Government. (a stringent procedure)

經香港特別行政區政府或者駐香港特別行政區維護國家安全公署提出,並報中央人民政府批准(嚴謹的程序)

Law Enforcement: Dual Track System 執法:雙軌制

- (1) It is a complex case in which foreign forces are intervened or infiltrated, so that it is difficult for the HKSAR Government to exercise jurisdiction.
 - (一)案件涉及外國或者境外勢力介入的複雜情況,香港特別行政區管轄確有困難的;
- (2) The HKSAR Government is unable to enforce the Law effectively
 - (二)出現香港特別行政區政府無法有效執行本法的嚴重情況的;
- (3) There is a serious threat to the national security
 - (三)出現國家安全面臨重大現實威脅的情況的。

如何定罪?

• Emphases the rights of citizens, such as the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. (Art. 4)

特別強調市民權利,如《公民權利和政治權利國際公約》、《經濟、社會與文化權利的國際公約》等等。(Art.4)

如何定罪?

刑法的定罪標準:主體、客體、主觀、客觀。

Constitution of the People's Republic of China Article 28,29(1), 51-52

《中華人民共和國憲法》第28、29(1)、52-55條					
State Security Law of the People's Republic	Counterespionage Law of the	Counterterrorism Law of the People's Republic of China	National Intelligence Law of the People's Republic of China	Cybersecurity Law of the People's Republic of China	

《反間諜法》

Nuclear Safety Law of the People's Republic of China 《核安全法》

of China 《國家安全法》

National Defense

《國防交通法》

Republic of China on the Administration of **Activities of Overseas** Nongovernmental **Organizations** in the **Mainland of China**

《境外非政府組織境內 活動管理法》

Law of the People's

Republic of China on

the Territorial Sea and

the Contiguous Zone

《領海及毗連區法》

Surveying and Mapping Law of the People's **Republic of China** 《測繪法》

Law on the **Preservation of State Secrets** 《保守國家秘密法》

Martial Law of the People's Republic of China 《戒嚴法》

Exit-Entry Administration Law 《出境入境管理法》

Anti-Secession Law 《反分裂國家法》

Law of the People's Republic of China on the Protection of **Military Installations** 《軍事設施保護法》

Law of the People's Republic of China on **National Defense** 《國防法》

Anti-monopoly Law of the People's Republic of China 《反壟斷法》

Civil Code of the People's Republic of China

《民法典》

Emergency Handling Law 《突發事件應對法》

Transportation Law

Criminal Law of the People's Republic of China

《刑法》

《反恐怖主義法》 《國家情報法》 《網絡安全法》 Law of the People's

Criminal Procedure Law of the People's Republic

of China

《刑事訴訟法》

Case

In early 2016, Zhang downloaded some violent terrorist videos and pictures from the internet to his mobile phone. Between February 2016 and October 2016, Zhang uploaded some of the downloaded videos and pictures to QQ and showed them to other users. The court found Zhang guilty of promoting terrorism and extremism, and sentenced him to two years and three months' imprisonment and charged him a fine of RMB 5,000.

2016年年初,張某某通過手機移動上網下載暴力恐怖視頻和圖片。2016年2月至2016年10月間,張某某先後將下載的部分暴力恐怖視頻和圖片上傳至QQ空間,供他人流覽。法院經依法審理,認定被告人張某某犯宣揚恐怖主義、極端主義罪,判處有期徒刑二年三個月,並處罰金人民幣五千元。

Case - Relevant Laws

Article 28 of the National Security Law

The state shall combat all forms of extremism and terrorism, improve the ability to prevent terrorism and punish terrorists, ban terrorist organizations, and severely punish violent terrorist activities in accordance with the law, through intelligence, investigation, prevention, punishment and financial regulation work.

《國家安全法》第二十八條 國家反對一切形式的恐怖主義和極端主義,加強防範和處置恐怖主義的能力建設,依法開展情報、調查、防範、處置以及資金監管等工作,依法取締恐怖活動組織和嚴厲懲治暴力恐怖活動。

Case – Relevant Laws

Article 4 of the Counterterrorism Law

The state shall combat all forms of extremism, such as the incitement to hatred and discrimination and agitation for violence by distorting religious doctrine or other methods, so as to eliminate the ideological basis of terrorism.

《反恐怖主義法》第四條第二款 國家反對一切形式的以歪曲宗教教義或者其他方法煽動仇恨、煽動歧視、鼓吹暴力等極端主義,消除恐怖主義的思想基礎。

Case - Relevant Laws

Article 120(3) of the Criminal Law

Whoever advocates terrorism or extremism or instigates terrorist activities by way of preparing or distributing any book, audio or video materials or any other article advocating terrorism or extremism or by instructing or issuing information shall be sentenced to imprisonment of not more than five years, limited incarceration, surveillance or deprivation of political rights in addition to a fine; or if the circumstances are serious, be sentenced to imprisonment of not less than five years in addition to a fine or forfeiture of property

《刑法》第一百二十條之三 以製作、散發宣揚恐怖主義、極端主義的圖書、音訊視頻資料或者其他物品,或者通過講授、發佈資訊等方式宣揚恐怖主義、極端主義的,或者煽動實施恐怖活動的,處五年以下有期徒刑、拘役、管制或者剝奪政治權利,並處罰金;情節嚴重的,處五年以上有期徒刑,並處罰金或者沒收財產

訓訓!