

Re: McMaster Chinese Students and Scholars Association (Mac CSSA) Ratification Status

Moved by _____, Seconded by _____ that the following statement be adopted:

Whereas Mac CSSA publicly confirmed, in their February 13th, 2019 statement, that they informed the Consulate General of the People's Republic of China in Toronto of an event on campus critical of the government of the People's Republic of China, and declared their intention to further monitor related developments;

Whereas the Student Representative Assembly is concerned that such surveillance, intentionally or not, aids the government of the People's Republic of China in gathering information about political activity on campus;

Whereas the government of the People's Republic of China, [according to Human Rights Watch](#), has an extensive history of attempting to silence overseas activists, dissidents, and critics by surveilling them, threatening their family members in China, or abducting them from abroad; ¹

Whereas the Student Representative Assembly (SRA) believes that Mac CSSA's act of informing on political activity on campus to the People's Republic of China poses a significant risk that individuals on campus who criticize the government of the People's Republic of China may be exposed to the consequences as documented by Human Rights Watch;

Whereas the government of the People's Republic of China has been reported to currently be operating a network of [concentration camps in Xinjiang](#), where over a million Uyghurs and other Muslim minorities have been incarcerated as part of a [cultural genocide](#) operation and subjected to extensive [human rights violations](#); ^{2,2,3}

Whereas the Student Representative Assembly believes that Mac CSSA's act of informing on political activity on campus to the Consulate General of the People's Republic of China poses a significant threat to the freedoms, safety, and security of students on campus, especially for Chinese and Uyghur students;

Whereas the Mac CSSA constitution submitted to the MSU Clubs Department states the President shall handle all day-to-day operations of the club & ensure the clubs adherence to MSU club policies;

Whereas Mac CSSA acted as a signatory of the February 13th statement and shared the statement publicly via Mac CSSA WeChat, under the direction of the Mac CSSA president;

Whereas clubs are accountable for the actions of executive officers of the club when acting and speaking on behalf of said club;

Whereas other signatories have stated in their June responses to SRA question that a Mac CSSA executive officer invited them to be signatories of the statement and their "former president finally agreed to authorize the signature";

Whereas information, testimony, and evidence were presented to SRA on September 10th and delegated on September 22nd, which pertained to actions and implications of Mac CSSA prior to September 1st;

Whereas information presented to the assembly led the SRA to reconsider their initial decision to ratify Mac CSSA due to information pertinent to the club at the time of ratification, which is within their rights as outlined in MSU Bylaws 3 & 3A;

Whereas section 5.1.3 of the MSU Clubs Operating Policy states that Class C offences "are actions, which endanger the safety or security of any person or property" and "will always result in a punitive sanction";

Whereas it is the responsibility of the Student Representative Assembly & the Speaker to interpret and uphold all MSU Operating Policies as per the MSU Constitution;

Whereas the SRA shall create, alter, or repeal MSU operating policies, within the restrictions of the constitution and bylaws of the MSU, to direct the administration of the organization and its component departments;

Whereas as determined by the Student Representative Assembly, as the policy making body of the MSU, the de-ratification and appeal process provided to Mac CSSA is in accordance with MSU Operating Policies and Bylaws;

Whereas Mac CSSA was de-ratified, having its ratification status revoked, which is different than disbandment;

Whereas the SRA is the only MSU body with the authority to ratify or revoke official club status;

Whereas club's executive council is the appeal body for decision made by the Club Administrator and does not have authority to act as an appeal body for the SRA;

Whereas Clubs Operating Policy section 5.3.2 is in reference to disbandment, not de-ratification, though it should be noted that the disbandment is subject to SRA final approval as SRA is the only body that can ratify the decision to disband the club;

Whereas no club is exempt from the ratification process, regardless of their long-standing history as an MSU club;

Whereas the Student Representative Assembly is committed to protecting student safety, countering direct and indirect pressures for students to self-censor;

Whereas Mac CSSA was provided an opportunity to provide full answer and defense through an appeal process;

Whereas all pertinent information used by the SRA to make the initial decision is publicly available online via the McMaster Students Union channels, of which Mac CSSA was made aware;

Whereas the appeal process determined by the SRA, allowing for a delegation to the floor, in-person question questions period, as well as written questions for clarification, has been exhausted;

Be it resolved that:

The Student Representative Assembly has revoked club status for the McMaster Chinese Students and Scholars Association (Mac CSSA), with the sanctions to remain in place for a minimum of one (1) full calendar year beginning September 22nd, 2019 and carrying with it the stipulation that MAC CSSA must present evidence to the satisfaction of the Clubs Administrator that they have reformed to strictly comply with policy in the future to prevent further issues of this nature. Only at this time will this sanction be lifted, and recommendation of ratification can be brought to the SRA.

Moreover, the Student Representative Assembly opposes attempts by the government of the People's Republic of China and/or MAC CSSA to directly or indirectly interfere with political activity on campus and undermine academic freedom and reminds students that they do not need to join any organizations that they do not want to, nor should conversations on campus be reported to foreign diplomatic missions that could result in impacts to the freedoms, safety, and security to students and members of the McMaster community.

事由：关于麦克马斯特大学中国学生学者联谊会（Mac CSSA） 社团状态的批复

以下内容由 _____ 动议提出, _____ 附议支持:

鉴于中国学生学者联谊会（CSSA）在2019年2月13日的声明中公开证实，他们向多伦多中华人民共和国总领事馆通报了校园内发生的一起批评中华人民共和国的事件，并宣布他们打算进一步监视有关发展;

学生代表大会(SRA)担心，这种监视会有意或无意地帮助中华人民共和国政府收集有关校园政治活动的信息;

据“[人权观察](#)”称，中华人民共和国政府有深广的历史，试图通过监视海外活动人士、持不同政见者和批评者令其缄口，威胁他们在中国的家人或在国外绑架他们;¹

学生代表大会（SRA）认为，CSSA向中华人民共和国通报校园政治活动的行为，对校园内批评中华人民共和国政府的个人构成重大威胁，使他们可能面临人权观察所报导的后果;

据报道，中华人民共和国政府目前正在新疆经营一个[集中营](#)网络，有超过 100 万的维吾尔人和其他穆斯林少数民族被囚禁，这是一种[文化种族灭绝](#)，是全面的[侵犯人权行为](#);^{2,2,3}

学生代表大会认为，CSSA 向中华人民共和国总领馆通报校内政治活动的行为，对校园内学生的自由、安全及保障，尤其对中国学生和维吾尔族学生构成重大威胁；

CSSA 提交给麦克马斯特大学学联（MSU）社团部的章程中规定，中国学生学者联谊会主席负责社团的所有日常运作，保证联谊会遵守 MSU 社团部的政策；

但是，在中国学生学者联谊会主席的领导下，Mac CSSA 作为 2 月 13 日声明的签署人，在联谊会微信群公开发表了声明；

社团要对社团负责人代表该社团的行事和发言负责；

声明的其他签署人在 6 月答复 SRA 问题时表示，是一名社团负责人邀请他们签名，而他们的“前主席最终同意授权签署”；

9月10日提交和9月22日委托提交SRA的信息、证词和证据，涉及9月1日之前Mac CSSA的行动和卷入影响；

这些向大会提交的信息导致SRA重新考虑其批准Mac CSSA社团地位的最初决定。根据与社团有关的信息决定批准与否，是MSU章程3和3A中描述的属于他们的权利；

《MSU社团活动政策》第5.1.3条规定，“危及任何人或财产安全或保障的行为”属于C类违规，“必然导致惩罚性制裁”；

学生代表大会及其议长有责任根据MSU章程解释和维护所有MSU运营政策；

SRA可以在《MSU章程》和章程的限制范围内制定、更改或废除某些MSU运营政策，以指导组织及其下属部门的管理；

学生代表大会，作为MSU的决策机构，所作出的取消批准Mac CSSA社团地位和上诉程序的决定符合MSU运营政策和章程；

Mac CSSA的社团地位被撤销，不是解散命令；

SRA 是唯一有权批准或撤销官方社团地位的 MSU 机构;

社团执行理事会是社团管理者作出决定的上诉机构，无权作为 SRA 的上诉机构;

社团活动政策第 5.3.2 节涉及解散，而不是取消批准。应当指出，解散须经 SRA 最终批准，因为 SRA 是唯一可以批准解散社团决定的机构;

任何社团都不能免除批准程序的约束，不管他们作为 MSU 社团的历史如何;

学生代表大会致力于保护学生安全，坚决反对要求学生进行自我审查的直接和间接压力;

CSSA 可以通过上诉程序提供完整的答辩及辩护;

SRA 用来做出初步决定的所有相关信息都通过麦克马斯特学联渠道在网上公开，对此 CSSA 应有充分了解;

由于 SRA 确定的上诉程序允许在面对面提问期间由一名代表发言的过程，以及需要澄清问题的书面提问都已执行；

所作决定如下：

学生代表大会已经自 2019 年 9 月 22 日起撤销麦克马斯特中国学生学者联谊会（Mac CSSA）的社团地位，此制裁至少维持一年（一个日历年）。并规定 MAC CSSA 必须出示证据让社团管理机构满意，认为他们已作出改革，保证未来严格遵守政策，防止再次出现这种性质的问题。只有此时才有可能取消制裁，再次提交申请以期 SRA 的批准。

另外，学生代表大会反对中华人民共和国和/或 MAC CSSA 直接或间接地干扰校园政治活动，破坏学术自由；并提醒学生，他们不需要加入任何他们不想加入的组织，也不应向外国外交使团报告校园内的谈话，以免对学生和 McMaster 社区成员的自由、安全和保障造成影响。