

CE's Statement

â€‹In response to the deliberation by the National People's Congress (NPC) of a draft Decision on establishing and improving the legal system and enforcement mechanisms for the Hong Kong Special Administrative Region (HKSAR) to safeguard national security ("the Decision"), the Chief Executive, Mrs Carrie Lam, who is attending the opening ceremony of the third session of the 13th NPC in Beijing, issued the following statement:

The HKSAR is an inalienable part of the People's Republic of China. It is a local administrative region which shall enjoy a high degree of autonomy and come directly under the Central People's Government. Safeguarding national sovereignty, security and development interests is the constitutional requirement of the HKSAR, the duty of the HKSAR Government, and also in the interest of all the Hong Kong residents. In view of the increasingly serious situation the HKSAR is facing in relation to national security and the difficulty of the executive and legislative authorities of the HKSAR to complete on their own legislation for safeguarding national security in the foreseeable future, the HKSAR Government supports the NPC's deliberation of the Decision to establish and improve at the national level the legal system and enforcement mechanisms for the HKSAR to safeguard national security.

Legislation on national security is undoubtedly within the purview of the Central Authorities. Just as it is in any other country in the world, it is the authority of the country to legislate on its own national security. The NPC is the highest organ of state power, and its decisions have the highest authority with legal effect. The Decision optimises the HKSAR's implementation of the system and mechanisms concerning national security under the Constitution and the Basic Law. The Decision does not amend the Basic Law or replace or repeal Article 23 of the Basic Law, which stipulates that the HKSAR has constitutional responsibilities and legal obligations to enact laws on its own to prohibit acts that endanger national security. In other words, the HKSAR still has the responsibility to complete legislation for Article 23 of the Basic Law as soon as possible.

The HKSAR Government noted that the Decision only targets acts of secession, subverting state power and organising and carrying out terrorist activities, as well as activities interfering with the HKSAR's internal affairs by foreign or external forces. These are exactly the situations which the political and business sectors in Hong Kong and members of the public have been worrying about over the past year. The situations have prompted the public to have a deeper understanding on the importance of national security and urge the HKSAR Government to respond proactively. The violence associated with the disturbances arising from the legislative exercise of the Fugitive Offenders Bill since June last year has been escalating and the emergence of various incidents involving explosives and firearms has posed the risk of terrorism, seriously jeopardising public safety. During this period, organisations advocating "Hong Kong independence" and "self-determination"

incited protesters, especially young people, to desecrate and burn the national flag openly, vandalise the national emblem and storm the Central People's Government's office in Hong Kong, and made plans to mobilise so-called "international support" to interfere with Hong Kong's affairs. These acts smeared the implementation of "One Country, Two Systems" in Hong Kong and challenged openly the authority of the Central Government and the HKSAR Government. Further, some of the political parties' members proclaimed many times that they would paralyse the HKSAR Government. Some other people begged for foreign governments to interfere with Hong Kong's affairs and even to impose sanctions on Hong Kong. This kind of behaviour has crossed the baseline of "One Country", sabotaging the relationship between the Central People's Government and the HKSAR, threatening China's sovereignty and national security and challenging the authority of the Central Authorities and the Basic Law.

The fundamental objective of the Decision to be deliberated by the NPC is to safeguard national security and the prosperity and stability of Hong Kong, thereby better protecting the legitimate rights and freedoms of all members of the public in Hong Kong. I deeply believe that the national law to be enacted by the Standing Committee of the NPC will seek to practically and effectively prevent and curb acts and activities that seriously undermine national security, as well as sanction those who undermine national security by advocating "Hong Kong independence" and resorting to violence. The Decision and the enactment of the national law will be able to establish and improve the legal framework and enforcement mechanisms for the HKSAR to safeguard national security. They will not affect the legitimate rights and freedoms enjoyed by Hong Kong residents under the law, or the independent judicial power, including that of final adjudication, exercised by the Judiciary in Hong Kong.

After the passage of the Decision, the HKSAR Government will fully cooperate with the Standing Committee of the NPC to complete the legislation as soon as possible to discharge its responsibility of safeguarding national security to ensure the long-term prosperity and stability of Hong Kong under "One Country, Two Systems".