

Government response to procession

In response to a public procession today (June 9) on the Fugitive Offenders and Mutual Legal Assistance in Criminal Matters Legislation (Amendment) Bill 2019 (the Bill), a Government spokesman said:

As a free, open and pluralistic society, we acknowledge and respect that people have different views on a wide range of issues. The procession today is an example of Hong Kong people exercising their freedom of expression within their rights as enshrined in the Basic Law and the Hong Kong Bill of Rights Ordinance. At the time of this statement, we note that apart from some obstructions to traffic, the march, though large, was generally peaceful and orderly. As usual, the Police have provided the needed facilitation before and during this public order event and taken resolute actions against breaches of the law.

The reasons why the Government tabled this Bill have been explained in detail on many occasions. Based on experience in recent weeks that face-to-face explanations by relevant officials have helped to dispel misunderstanding, the Government will continue to engage, listen and allay concerns through calm and rational discussion.

The Government spokesman stressed the following points:

- The Bill was prompted by the murder of a Hong Kong citizen in Taiwan which brought into sharper focus deficiencies of the existing regime dealing with mutual legal assistance in criminal matters and the surrender of fugitives. If these deficiencies were not addressed as a matter of priority, Hong Kong would continue to be a bolt-hole for criminals, putting Hong Kong residents' safety at risk and disregarding our international responsibilities in the fight against cross-border and transnational crimes.
- The Bill covers only the most serious crimes punishable by imprisonment of seven years or more (i.e. cases that would normally be tried in Hong Kong's High Court) and the crimes must exist in the laws of both Hong Kong and the requesting jurisdiction before a surrender request will be processed.
- None of these serious criminal offences relate to the freedom of assembly, of the press, of speech, of academic freedom or publication. And no surrender for a political offence or if the purported charges are in fact on account of race, religion, nationality or political opinions.

- Executive and judicial safeguards built into the system protect all the human rights enshrined in the Basic Law and Hong Kong Bill of Rights Ordinance and ensure that any requests for assistance or surrender are legal, and subject to challenge and review up to the Court of Final Appeal. As guaranteed under the Basic Law, the courts of the Hong Kong Special Administrative Region exercise judicial power independently, free from any interference.

Throughout the past four months, the Government has listened attentively to views expressed and responded positively to suggestions made. As a result, two sets of amendments were made, respectively before and after the presentation of the Bill. These have provided additional safeguards which have been welcomed by stakeholders and have effectively allayed most of those earlier concerns. The Chief Executive could not bypass the Court to surrender a fugitive to any requesting party including the Mainland. The government's proposals are therefore firmly grounded in the rule of law.

"We urge the Legislative Council to scrutinise the Bill in a calm, reasonable and respectful manner to help ensure Hong Kong remains a safe city for residents and business."

The Second Reading debate on the Bill will resume on June 12.