

Government strongly condemns civil service staff union for participating in referendum on strike

Regarding a civil service staff union's move to call on civil servants to participate in a so-called "referendum on strike" to oppose the legislation of the national security law in Hong Kong, a spokesman for the Hong Kong Special Administrative Region (HKSAR) Government today (June 12) strongly condemned the union for planning to use radical means by staging a political strike, which would undermine the interests of the whole community of Hong Kong and tarnish the reputation of the civil service.

The spokesman stressed, "National security is a matter under the purview of the Central Authorities. Hong Kong is an inalienable part of the People's Republic of China. It is a local administrative region that comes directly under the Central People's Government and enjoys a high degree of autonomy. Safeguarding national sovereignty, security and development interests is the constitutional requirement of the HKSAR, is the duty of the HKSAR Government, and is also in the interest of all Hong Kong residents. The constitutionality, lawfulness and reasonableness of formulating at the national level the legal framework for national security for the HKSAR is beyond doubt.

"The law for the HKSAR to safeguard national security, to be introduced by the Standing Committee of the National People's Congress (NPC) as authorised under the Decision by the NPC on establishing and improving the legal system and enforcement mechanisms for the HKSAR, targets four types of acts or activities that seriously endanger national security, namely splitting the country, subverting state power, organising and carrying out terrorist activities, and interference in the HKSAR's affairs by foreign and external forces. Such laws target the very small minority of people who participate in acts or activities which seriously undermine national security. They will not affect the legitimate rights and freedoms enjoyed by the vast majority of Hong Kong residents including civil servants under the law, including freedoms of speech, of the press, of assembly, of demonstration and of procession. Moreover, the national security law will better maintain safety and stability in society and ensure that Hong Kong can become a safer and more stable city, making it conducive to maintaining a favourable environment for business and investment. All relevant law enforcement will be conducted strictly in accordance with the law as well as statutory powers and procedures.

"The HKSAR Government will fully co-operate with the Standing Committee of the NPC to complete the legislation as soon as possible to discharge its responsibility of safeguarding national security. Civil servants, as the backbone of the HKSAR Government, should stand united and be dedicated to their duties. They should firmly support and fully co-operate with the Government under the leadership of the Chief Executive to accomplish the

tasks of safeguarding national security to ensure the robustness of 'one country, two systems'.

"Hong Kong's economy is experiencing a tough time, having suffered the double blow of a series of violent incidents and the COVID-19 epidemic in the past year. The HKSAR Government has been assisting Hong Kong in riding out the difficult times as soon as possible by rolling out several rounds of relief measures. At this critical juncture, it is deeply regretted that a civil service staff union is openly calling on civil servants to participate in a so-called 'referendum on strike', planning to use radical means by staging a political strike to oppose the legislation of the national security law, completely ignoring that such acts will affect the effective operation of the Government and the stability of the community, and undermine Hong Kong's economy and the interests of Hong Kong people. The HKSAR Government will not turn a blind eye to any such action. Moreover, the Basic Law and Hong Kong's legal system do not provide for any 'referendum' mechanism. Conducting any form of a so-called 'referendum' will have no constitutional basis or legal effect. Civil servants must recognise the fact and remain rational. They must not participate in the referendum, or else they will fail to meet the expectations of the community at large.

"The HKSAR Government has all along been steadfastly safeguarding freedom of speech, but, as in other jurisdictions, such freedom is not absolute. Article 99 of the Basic Law stipulates that public servants must be dedicated to their duties and be responsible to the Government of the HKSAR. Civil servants, being a key component of the public service, have a constitutional role. Moreover, according to the Civil Service Code, civil servants should be committed to the rule of law and politically neutral. Political neutrality means that civil servants shall serve the Chief Executive and the Government of the day with total loyalty and to the best of their ability, no matter what their own political beliefs are. For civil servants who blatantly violate the Code, we will follow up seriously."