

HKSAR Government expresses utmost anger at so-called US sanctions imposed on six PRC and HKSAR government officials

The Hong Kong Special Administrative Region (HKSAR) Government today (January 16) sternly denounced the "coercive measures" taken by the United States (US) Department of State under the so-called "The President's Executive Order on Hong Kong Normalization" against six officials of the Central People's Government and the HKSAR Government. This latest attempt of the US Government to intervene into internal affairs of the People's Republic of China (PRC) and obstruct actions taken by the HKSAR authorities to safeguard national security, since the enactment of The Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region (the National Security Law) on June 30, 2020, is insane, shameless and despicable.

"National security is a matter within the purview of the Central Authorities. Whether it is a unitary or federal state, legislation on national security is invariably carried out by the central authorities. The National Security Law was passed by the National People's Congress Standing Committee, the highest organ of state power of the PRC, to establish and improve the legal system and enforcement mechanisms for the HKSAR to safeguard national security," a Government spokesman said.

"In adopting a Decision on the National Security Law on May 28, 2020, the National People's Congress made it clear that the country resolutely opposed interference in the HKSAR's affairs by any foreign or external forces in any form, and would take necessary countermeasures to prevent, stop and punish in accordance with the law activities of secession, subversion, infiltration and sabotage carried out by foreign or external forces in Hong Kong."

"Since implementation of the National Security Law on June 30, 2020, the US Government has exploited every incident and excuse to make slandering remarks about the National Security Law and attack the PRC and the HKSAR authorities in their dutiful, faithful and lawful implementation of the National Security Law. We could not help but suspect that the National Security Law has touched a nerve of those foreign or external forces."

"Indeed, for months during the outbreak of anti-government riots and extensive violence in Hong Kong in 2019, and further to the enactment of the National Security Law, we have seen the US Congress and the White House making successive laws and pronouncing sweeping actions pursuant to the President's executive order targeting the HKSAR under the pretext of human rights, democracy and autonomy. With recent events in the United States

Capitol, it should be obvious to and resented by many people, locally and around the world, that the US acts are displaying double standards and hypocrisy, let alone blatantly breaching international laws and basic norms governing international relations."

"At the 2020 Colloquium on International Law held in Hong Kong on December 3, 2020, the Secretary for Justice, Ms Teresa Cheng, SC, of the HKSAR Government, referred to the recent 'unilateral coercive measures' taken against certain government officials in the PRC and HKSAR by the US in response to the enactment of the National Security Law as an example of failing to respect the principle of non-intervention which has been upheld internationally."

"The Secretary pointed out that safeguarding national security is a matter of national sovereignty, which every State should enjoy under international law. Each State enjoys the rights inherent in full sovereignty and the territorial integrity and political independence of the State are inviolable. Enacting national security legislation is without a doubt an inherent right of every sovereign State."

"Safeguarding national security through legislation is in line with international practice. Contrary to allegations that the National Security Law undermines the 'One Country, Two Systems' framework, the National Security Law fully and faithfully implements the principles of 'One Country, Two Systems', 'Hong Kong people administering Hong Kong' and a high degree of autonomy. It clearly stipulates four types of offences endangering national security and the penalties. At the same time, the National Security Law contains specific provisions upholding Hong Kong people's rights and freedoms under the Basic Law as well as the relevant provisions of international covenants on human rights as applied to Hong Kong. The Law also provides for the presumption of innocence, the prohibition of double jeopardy, and the right to defend oneself and other rights in judicial proceedings that a criminal suspect, defendant and other parties in judicial proceedings are entitled to under the law."

"These important features have put the National Security Law on par with, if not superior to, similar national security laws in other jurisdictions, including those enacted in the US. Both in terms of making legislation and implementing legislation, the world has seen the display of double standards by the US Government."

"The National Security Law, or indeed any law in the HKSAR, applies equally to every person in Hong Kong; no one is above the law. We are appalled by irresponsible remarks made by overseas government officials that seemed to suggest that people with certain political beliefs should be immune to legal sanctions. We are even more alarmed by the call contained in the US Department of State's statement that suspects arrested by law enforcement agencies in the HKSAR should be immediately released."

"Hong Kong prides itself on the rule of law; law enforcement agencies are duty-bound to take action against unlawful acts, regardless of the political background of the suspects. Arrests made are based on evidence and

strictly in accordance with relevant laws and regulations."

"As provided for in the Basic Law, the Department of Justice of the HKSAR Government makes independent prosecutorial decisions based on evidence, applicable laws and in accordance with its Prosecution Code, free from any interference. Any person who is prosecuted has the right to a fair trial by our independent courts, and the burden is on the prosecution to prove that the accused committed a crime beyond reasonable doubt before there can be a conviction. Enshrined in the Basic Law – Articles 2, 19 and 85, the courts of the HKSAR enjoy judicial power independently, including that of final adjudication, free from any interference."

"We have reminded the US ad nauseam of relevant provisions in the Basic Law, particularly Article 12 which stipulates that the HKSAR is a local administrative region of the PRC, which shall enjoy a high degree of autonomy and come directly under the Central People's Government; that the Constitution of the PRC and the Basic Law of the HKSAR form the constitutional basis of the HKSAR. Unfortunately, all these have fallen on deaf ears as the relevant US officials have chosen to make unsubstantiated and sweeping comments to serve their own interest."

"The US Government's claim that the imposition of the so-called 'sanctions' or 'designation' of certain individuals for punitive actions was in response to the enactment and enforcement of the National Security Law. This is a lame excuse that could hardly stand up to challenge."

The spokesman severely condemned the US Government for yet again resorting to the "tool" of threatening PRC and HKSAR government officials through economic, financial or other means, and deliberately making public the personal information of those government officials.

"Speaking on behalf of her senior colleagues who have been targeted in successive acts of the US Department of State since last August for their involvement in the National Security Law, the Chief Executive, Mrs Carrie Lam, said that such a deplorable move is totally illegitimate and violates established principles of international law. It will not achieve its objective of implicit subjugation. I and my colleagues are discharging an honourable duty to prevent, stop and punish in accordance with the law acts and activities endangering national security. We will not be intimidated," the spokesman said.

"The HKSAR Government will fully support the Central Government in adopting appropriate counter-measures."