

# HKSAR Government sternly refute the so-called report of US Congressional-Executive Commission on China

The Government of the Hong Kong Special Administrative Region (HKSAR) today (December 21) strongly disapproved of and opposed the so-called "2024 Annual Report" issued by the United States (US) Congressional-Executive Commission on China (CECC), which made malicious smearing remarks against multiple areas in the HKSAR.

An HKSAR Government spokesperson said, "The HKSAR Government strongly disapproves and opposes the CECC's repeated tactics to interfere in the affairs of the HKSAR through the so-called annual report, and make slandering remarks against Hong Kong, where 'one country, two systems' is successfully implemented. The US is once again making unfounded and fact-twisting remarks. Such attempt to undermine the prosperity and stability of Hong Kong and interfere in Hong Kong's law-based governance is smack of despicable political manipulation with ill intentions."

The spokesperson said, "The CECC openly clamour for so-called 'sanctions' with an aim to intimidate HKSAR officials who resolutely safeguard national security. The HKSAR Government strongly condemns its political grandstanding rife with ill intentions, which have been seen through by all. The HKSAR despises the so-called 'sanctions' and will not be intimidated by such a despicable behaviour. The HKSAR will resolutely continue to discharge the duty of safeguarding national security."

The spokesperson reiterated, "The HKSAR Government steadfastly safeguards national sovereignty, security and development interests, and fully and faithfully lives up to the highest principle of 'one country, two systems'. The HKSAR Government strongly demands the US to immediately stop acting against the international law and basic norms of international relations and interfering in China's internal affairs and Hong Kong affairs."

Regarding the slandering remarks against the HKSAR in the US' so-called report, the Government sternly refuted them in the ensuing paragraphs.

## Safeguarding National Security

The HKSAR Government spokesperson said, "The HKSAR Government strongly opposes the absurd and untrue content regarding legislation safeguarding national security in the HKSAR contained in the US' so-called report. In accordance with international law and international practice based on the Charter of the United Nations, safeguarding national security is an inherent right of all sovereign states. Many common law jurisdictions, including the US, the United Kingdom, Australia and Canada, have enacted multiple pieces of legislation and implemented measures to safeguard national security."

The HKSAR Government spokesperson stressed that, "The so-called report by the US completely ignores the severe national security threats posed by the riots and the Hong Kong version of 'color revolution' in 2019, and neglected the fact that the implementation of the National Security Law has enabled the livelihood and economic activities of the Hong Kong community, and the business environment as well, to return to normalcy. This is a clear demonstration of hypocrisy with double standards. In fact, security and development work together like the two wings of a bird. Development requires a safe social environment. In March 2024, the HKSAR fulfilled the constitutional responsibility and historic mission of enacting local legislation for Article 23 of the Basic Law. The newly enacted Safeguarding National Security Ordinance (SNSO) achieves convergence, compatibility and complementarity with the Hong Kong National Security Law (HKNSL). Together they form a comprehensive legal system and enforcement mechanism for safeguarding national security. Now, Hong Kong can finally advance from stability to prosperity following the transition from chaos to order. The US must immediately recognise the fact that the Hong Kong National Security Law and other relevant legislation have restored normalcy to the lives and economic activities of Hong Kong residents and the business environment.

"As the HKSAR Government has emphasised time and again that the laws safeguarding national security in the HKSAR are precisely for safeguarding national sovereignty, unity and territorial integrity; and ensuring the full and faithful implementation of the principle of 'one country, two systems' under which the people of Hong Kong administer Hong Kong with a high degree of autonomy. It also better safeguards the fundamental rights and freedoms of the residents of the HKSAR and other people, including those doing business, in the city. The relevant laws have set out clear definitions and criminal elements which will not affect regular exchanges between Hong Kong residents and people here for business with foreign countries.

"Extraterritorial effect for the offences endangering national security under the HKNSL and the SNSO fully aligns with the principles of international law, international practice and common practice adopted in various countries and regions. It is both necessary and legitimate, and is also in line with those of other countries and regions around the world (including the US, the United Kingdom, Australia, Canada and member states of the European Union). The Police have the responsibility to pursue those who are suspected of committing offences endangering national security outside Hong Kong.

"Smearing remarks in the US' so-called report pinpointing at custodial and rehabilitation work of the HKSAR was untrue, misleading, irresponsible and absurd. The HKSAR Government solemnly points out that the Correctional Services Department (CSD) is committed to ensuring that the custodial environment is secure, safe, humane, appropriate and healthy, and have put in place established mechanism to ensure the rights of persons-in-custody (PICs) are protected, including arrangement of regular inspection of independent visitors, namely Justices of the Peace. The CSD performs its duties in accordance with law and regulations in managing all PICs, regardless of their background."

## Safeguarding Due Administration of Justice and Rule of Law

The spokesperson said, "That Hong Kong is a society underpinned by the rule of law and has always adhered to the principle that laws must be obeyed and lawbreakers held accountable is well recognised by international communities. The Basic Law clearly stipulates that the Judiciary shall exercise judicial power independently in accordance with the law, free from any interference. As guaranteed by the Basic Law and the Hong Kong Bill of Rights, everyone charged with a criminal offence has the right to a fair hearing. The Department of Justice of the HKSAR, by virtue of Article 63 of the Basic Law, shall control criminal prosecutions and make independent prosecutorial decisions based on an objective assessment of all admissible evidence and applicable laws. The courts decide cases strictly in accordance with the evidence and all applicable laws. Cases will never be handled any differently owing to the profession, political beliefs or background of the persons involved. The prosecution has the burden to prove beyond reasonable doubt the commission of an offence before a defendant may be convicted by the court."

## Safeguarding Rights and Freedoms

The HKSAR Government spokesperson said, "The HKSAR Government steadfastly safeguards the rights and freedoms enjoyed by Hong Kong people as protected under the law. Since Hong Kong's return to the motherland, human rights in the city have always been robustly guaranteed constitutionally by both the Constitution and the Basic Law. The HKNSL and the SNSO also clearly stipulate that human rights shall be respected and protected in safeguarding national security in the HKSAR, and that the rights and freedoms, including the freedoms of speech, of the press, of publication, of association, of assembly, of procession and of demonstration, that Hong Kong residents enjoy under the Basic Law and the provisions of the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights as applied to Hong Kong, shall be protected in accordance with the law. Nonetheless, just as the case with other places in the world, such rights and freedoms are not absolute. The ICCPR also expressly states that some of them may be subject to restrictions as prescribed by law that are necessary for protection of national security, public safety, public order or the rights and freedoms of others, etc."