

# HKSAR Government strongly condemns so-called US sanctions

The Hong Kong Special Administrative Region (HKSAR) Government today (December 8) strongly condemned the so-called "sanctions" imposed by the United States (US) Government against the 14 Vice Chairmen of the Standing Committee of the National People's Congress (NPCSC), and urged the US Government to immediately stop interfering in the internal affairs of the People's Republic of China (PRC) under the geopolitically-motivated pretext of human rights or democracy.

"After months of malicious attempts to make use of incidents in Hong Kong to attack the PRC, it should be clear to all that the US government officials and politicians have chosen to ignore the constitutional order of Hong Kong as an inalienable part of the PRC and her status as a Special Administrative Region directly accountable to the Central People's Government and enjoying a high degree of autonomy," a government spokesman said.

"The National People's Congress (NPC) is the highest organ of state power in the PRC and the NPCSC is its permanent body. The NPC and its Standing Committee have the constitutional power and duty to enact national law and apply it to Hong Kong in accordance with the Basic Law, and to monitor the implementation of the Basic Law. The NPCSC also has the authority to interpret the Basic Law and to handle any constitutional problems arising from the implementation of the Basic Law.

"National security is a matter of utmost importance to any state, and laws governing national security are matters for the sovereign state, regardless of whether it is a unitary or federal system of government. Enforcement of national security is likewise under the purview of the central authorities.

"In response to the increasingly pronounced national security risks faced by the HKSAR, especially in light of the escalating violence and social chaos from June last year to early this year, the NPCSC adopted in June this year The Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region (the National Security Law) and applied it to Hong Kong by promulgation in accordance with the Basic Law. This is a timely, reasonable and highly responsible decision. As a matter of fact, since implementation of the National Security Law, violence has significantly subsided and Hong Kong people could once again enjoy their basic rights and freedoms in accordance with the law.

"As for the NPCSC's decision on November 11 on the qualification of members of the Legislative Council (LegCo) of the HKSAR, it should be noted that swearing allegiance to the system of the country and upholding laws of the state is an international norm for public officers. In the case of the HKSAR, Article 104 of the Basic Law clearly stipulates that LegCo members 'must, in accordance with law, swear to uphold the Basic Law of the HKSAR of

the PRC and swear allegiance to the HKSAR of the PRC'."

Four members of the sixth-term LegCo have submitted nominations to run for the 2020 LegCo General Election that was originally scheduled for September 6 and their nominations were invalidated by Returning Officers on grounds that they had engaged in conducts in breach of the oath. Concurrently, in view of the severe epidemic situation of COVID-19, the HKSAR Government announced on July 31 that the 2020 LegCo General Election would be postponed for a year. To resolve the problem of a lacuna in the legislature arising from the postponement of the election of the seventh-term LegCo for a year, the NPCSC made a decision on August 11 that the sixth-term LegCo will continue to discharge its duties for no less than one year until the commencement of the seventh-term LegCo of the HKSAR. Consequently, the issue that the Chief Executive, who has overall responsibility for the HKSAR and is accountable to both the HKSAR and the Central People's Government, had to deal with was whether individuals who were invalidated to contest in the LegCo election in accordance with the law could continue to serve as members of LegCo in the extended term. Accordingly, the Chief Executive had to approach the Central People's Government to find a constitutional solution.

"As the matter involves the NPCSC's decision made on August 11 and its previous Interpretation of Article 104 of the Basic Law concerning the taking of oaths by members of LegCo, the NPCSC has again, in a resolute and responsible manner, helped to resolve the problem at the constitutional level.

"The NPCSC's decision set out clearly the consequences of LegCo members violating the legal prerequisites of 'upholding the Basic Law of the HKSAR of the PRC' and 'swearing allegiance to the HKSAR of the PRC'. It provided the solid legal basis for the HKSAR Government to announce the disqualification of the four LegCo members.

"The US Government has clearly ignored the constitutional order of the HKSAR and the facts relevant to the NPCSC's decisions. The so-called 'sanctions' arbitrarily imposed by the US Government smacks of political manipulation and double standards. It is also blatant interference in the internal affairs of the PRC, violating international law and basic norms governing international relations.

"The acts of the US Government are resented by the people of Hong Kong and the whole nation. We strongly condemn such irresponsible acts and urge the US Government to immediately stop interfering in our nation's affairs," said the spokesman.