

# HKSAR Government strongly condemns twisted remarks by US and Canada on Safeguarding National Security Ordinance

The Hong Kong Special Administrative Region (HKSAR) Government today (April 13) strongly condemned the United States (US) and Canada for smearing the Safeguarding National Security Ordinance (the Ordinance) under the pretext of the so-called foreign travel advice updates that the risks of travelling to Hong Kong would increase after the Ordinance comes into effect. It is a political manoeuvre with fact-twisting and scaremongering remarks to spread panic.

A spokesman for the HKSAR Government said, "The offences endangering national security stipulated by the Ordinance target acts endangering national security with precision, and define the elements and penalties of the offences with clarity. The prosecution has the burden to prove beyond reasonable doubt that the defendant had the actus reus and mens rea of an offence before the defendant may be convicted by the court.

"The US and Canada themselves have laws safeguarding their national security. Extraterritorial effect for the offences under the Hong Kong National Security Law and the Ordinance 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 (including the US and Canada) around the world. It can be seen that the national security laws of various countries, including the US, the United Kingdom, Australia, Canada and the Member States of the European Union, also have extraterritorial effect under the 'personality principle' and the 'protective principle'. In formulating the extraterritorial effect under the Ordinance, we have already taken into account the principles of international law and international practice of state jurisdiction, as well as the nature of the offences.

"We must emphasise that the HKSAR law enforcement agencies have been taking law enforcement actions based on evidence and strictly in accordance with the law in respect of the acts of the persons concerned. The claims of 'arbitrary enforcement' and 'wrongful detention' completely disregard the facts. The HKSAR Government strongly opposes the countries concerned for attempting to achieve their political goals by means of intimidation, interfering with the legitimate exchanges of members of the public and the business sector.

"As a matter of fact, the HKSAR Government has always welcomed ordinary travellers and businessmen (including travellers and businessmen from the US and Canada) coming to Hong Kong. They will not conduct acts and activities endangering national security and will not unwittingly violate the law, and

therefore have no reason to be worried. Moreover, both the Hong Kong National Security Law and the Ordinance clearly stipulate that the rights and freedoms enshrined in the Basic Law, as well as the provisions of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights as applied to Hong Kong, are to be protected in accordance with the law."

"The Hong Kong National Security Law and the Ordinance are laws defending against external forces that endanger our national security, strengthening the protection for our home. Only intruders trying to plunder and loot will not want Hong Kong to safeguard our country in accordance with the law. The HKSAR Government strongly urges the relevant countries to stop their attempts to interfere Hong Kong in safeguarding national security in accordance with the law by deploying such political tactics as updating the so-called foreign travel advice," the spokesman reiterated.