

HKSAR Government strongly disapproves and condemns US Department of State for proposing visa restrictions on PRC and HKSAR officials

The Hong Kong Special Administrative Region (HKSAR) Government on May 31 strongly disapproved and condemned the United States (US) Department of State for the proposed imposition of the so-called "visa restrictions" on People's Republic of China (PRC) and HKSAR officials relating to the implementation of the Hong Kong National Security Law (NSL).

A spokesman for the HKSAR Government said, "The proposed imposition of the so-called 'visa restrictions' by the US Government smack of despicable political manipulation to intimidate PRC and HKSAR officials who resolutely safeguard national security. These grossly interfere in China's internal affairs and Hong Kong's affairs, and violate the international law and the basic norms governing international relations. The HKSAR despises such threat and will not be intimidated by such a despicable behaviour. The HKSAR will resolutely continue to discharge the duty of safeguarding national security.

"The reasons for verdict in the conspiracy to commit subversion case delivered by the court on May 30 clearly confirmed that the criminal acts in the case aimed at undermining, destroying or overthrowing the existing political system and structure of the HKSAR established under the Basic Law and the 'one country, two systems' principle. Such criminal acts endangering national security had nothing to do with the so-called fight for democracy and human rights. In the 318-page judgment, the court has clearly set out the reasons and consideration underlying the conviction, and confirmed the occurrence of the offence of conspiracy to commit subversion. A total of 47 persons were charged in the case. Apart from the two defendants, against whom the evidence was found insufficient for the court to be sure of their participation in the conspiracy offence, the remaining 45 defendants were convicted, showing the scale and the seriousness of the criminal scheme. With regard to the verdict on the two defendants, the Department of Justice had already informed the court of its intention to appeal.

"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 or entities concerned, which have nothing to do with their political stance, background or occupation. The suggestion that certain individuals should be immune from legal consequences for their illegal acts, including the illegal act of subversion, is no different from advocating a special pass to break the law, and this totally runs contrary to the spirit of the rule of law.

"The offences endangering national security stipulated under the NSL target acts endangering national security with precision, and define the

elements and penalties of the offences with clarity. On the charge of conspiracy to commit subversion, the court pointed out clearly in the reasons for verdict that the prosecution has the duty to prove beyond reasonable doubt the relevant conspiratorial agreement; the defendants' intention to carry out the unlawful means which was the subject matter of the charge; and the defendants so acted with a view to subverting the State power before the defendant may be convicted by the court," the spokesman said.

"As guaranteed by the Basic Law and the Hong Kong Bill of Rights, all defendants charged with a criminal offence shall have the right to a fair trial by the Judiciary exercising independent judicial power. The courts of the HKSAR shall exercise judicial power independently, free from any interference.

"The HKSAR Government strongly demands the US Government to immediately stop interfering in China's internal affairs and Hong Kong's affairs, and stop malicious smearing on the verdict of the relevant case," the spokesperson reiterated.