

HKSAR Government strongly objects to European Parliament's resolution

The Hong Kong Special Administrative Region (HKSAR) Government today (January 22) strongly objected to the European Parliament's "resolution" of yesterday relating to Hong Kong, saying the "resolution" is biased, politically motivated and does not reflect the truth.

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 Law of the People's Republic of China on Safeguarding National Security in the HKSAR (the National Security Law) was passed by the National People's Congress Standing Committee, the highest organ of state power of the People's Republic of China, to establish and improve the legal system and enforcement mechanisms for the HKSAR to safeguard national security.

Safeguarding national security through legislation is in line with international practice. Different countries have their respective national security laws. Contrary to politically-motivated rhetoric 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. Law-abiding people will not unwittingly violate the law. 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.

The National Security Law is in no violation of the Sino-British Joint Declaration. As the Ministry of Foreign Affairs has stressed time and again, the Sino-British Joint Declaration stipulated the resumption of the exercise of sovereignty by China over Hong Kong and relevant arrangements during the transition period. The basic policies regarding Hong Kong declared by China in the Joint Declaration were China's statement of policies, not commitment to the United Kingdom (UK) or an international obligation as some claim. With the resumption of the exercise of sovereignty by China over Hong Kong and the completion of follow-up matters, all UK-related provisions have been fulfilled. The international community should fully acknowledge this fact and stop interfering in Hong Kong affairs which are internal affairs of China.

The rule of law in Hong Kong has a strong basis. The HKSAR Government is appalled by the call contained in the "resolution" that suspects arrested by

law enforcement agencies in the HKSAR, some already convicted by independent courts, should be immediately released, apparently suggesting that people with certain political beliefs should be immune to legal sanctions. Nobody is above the law. Anybody who contravenes the law will have to face justice, regardless of who or where he/she is, as long as the offence falls within Hong Kong's jurisdiction.

The HKSAR Government will not tolerate any offence of subversion. Those who organised, planned, committed or participated in subversion would be pursued for their criminal act in accordance with the National Security Law.

Officers of the HKSAR Government are discharging an honourable duty to prevent, stop and punish in accordance with the law acts and activities endangering national security. Hong Kong officials' determination in safeguarding national security will not be affected in any way by any so-called "sanctions".