

HKSAR Government strongly objects to US Congressional-Executive Commission on China 2020 annual report

The Hong Kong Special Administrative Region (HKSAR) Government today (January 15) strongly objects to the United States Congressional-Executive Commission on China (CECC)'s newly released 2020 annual report which is biased, politically motivated and not reflecting the truth.

Safeguarding national security through legislation is in line with international practice. Contrary to the erroneous allegations that the Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region (National Security Law) undermines the "One Country, Two Systems" framework, our country has the right to legislate for this matter under "One Country, Two Systems". Every country has laws and duty to safeguard its national security and sovereignty. The international community should not adopt a double standard.

The allegation that the offences under the National Security Law are vaguely defined is simply untrue. The National Security Law clearly stipulates four types of offences endangering national security and the penalties. Law-abiding people, including Hong Kong residents and overseas tourists/investors, 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. It 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 does not conflict with Article 23 of the Basic Law; the HKSAR is still required to complete the national security legislation stipulated in the Basic Law at an early date.

Since implementation of the National Security Law, street violence has subsided and stability restored. The legitimate rights and freedoms of the people of Hong Kong have been upheld and criminals are brought to justice through our independent judiciary. A stable environment is vitally important to the prosperity of Hong Kong and the business activities of both local and overseas enterprises here.

In respect of the Hong Kong Police (Police)'s enforcement actions, the Police have a statutory duty to maintain public safety and public order. Law enforcement actions taken by the Police were based on evidence and strictly according to the laws in force, and regardless of the political background or stance of the suspects.

The freedom of the press in Hong Kong is guaranteed under the Basic Law. While media practitioners need to cover news, the Police have a statutory duty to adopt measures to maintain public order and safeguard public safety. On condition of not affecting police operations, the Police have all along been assisting in media reporting, so that both sides can perform their respective functions on the basis of mutual understanding and respect.

Taking people who have contravened the law to justice is the duty of every government, and where the offence concerns national security, the interests of the country and every citizen are at stake. This national obligation should be fully respected in the international arena.