

HKSAR Government strongly opposes and condemns slanders and smears on Safeguarding National Security Ordinance

â€‹The Hong Kong Special Administrative Region (HKSAR) Government today (March 20) firmly opposed and strongly condemned the slanders and smears, as well as grossly misleading and false remarks made continuously by the United States (US) and some Western countries, anti-China organisations, anti-China politicians, foreign media and wanted persons having absconded overseas, after the unanimous passage of the Safeguarding National Security Ordinance by the Legislative Council (LegCo) on March 19. Not only are those remarks totally unfounded and fact-twisting, but they also entirely disregard the constitutional duty and practical needs of the HKSAR to legislate, and the positive effects brought by the enactment of the legislation on economic development and protection of human rights.

A spokesman for the HKSAR Government said, "It is the constitutional duty of the HKSAR to safeguard national security. In accordance with international law and international practice based on the Charter of the United Nations, safeguarding national security is an inherent right of all sovereign states. Many common law jurisdictions, including such Western countries as the US, the United Kingdom, Canada, Australia and New Zealand, as well as Singapore, have enacted multiple pieces of legislation to safeguard national security. Turning a blind eye to the fact and making exaggerated remarks, the anti-China forces maliciously smeared the Safeguarding National Security Ordinance, demonstrating typical political hegemony and hypocrisy with double standards.

"This legislation is indeed the aspiration of the people. After the unanimous passage of the Safeguarding National Security Ordinance by the LegCo, members of the public and various sectors of the community including the commercial sector and major chambers of commerce, the legal sector (including the Law Society of Hong Kong), real estate association, the youth sector, other professional sectors and political parties, voiced support for the HKSAR Government's legislative work through different channels such as issuing public statements. All those raising opposing comments were external forces, as the legislation will increase their cost of and difficulty in endangering our national security. During the public consultation period, the Government received over 13 000 submissions of opinions, of which 98.6 per cent showed support and gave positive comments, indicating that the legislation of Article 23 of the Basic Law has strong popular support.

"We must point out that the entire legislative process at the LegCo was conducted entirely in accordance with the due procedures, with diligent and prudent scrutiny by lawmakers. The Bills Committee, together with the subcommittee earlier set up by the House Committee to study matters relating

to Basic Law Article 23 legislation, convened 25 meetings in total, and devoted nearly 50 hours to scrutinise every clause of the Bill in detail (representing 30 per cent longer than that of the lengthiest scrutiny by the Bills committee in 2023), raising nearly 1 000 questions and comments, resulting in 91 amendments, most of which were originated from comments by lawmakers. Some clauses were even deliberated for more than an hour, reflecting a thorough discussion at the LegCo in which every member was meticulous and completed the scrutiny with high quality and efficiency.

"As a matter of fact, to effectively prevent, suppress and punish illegal acts endangering national security is precisely to better safeguard the fundamental rights and freedoms of individuals and ensure the property and investments in the HKSAR are protected by law. Protecting human rights and respecting the principle of the rule of law are principles of the Safeguarding National Security Ordinance and have been included in the provisions. Article 2 of the Ordinance clearly stipulates that human rights are to be respected and protected, the rights and freedoms, including the freedoms of speech, of the press and of publication, the freedoms of association, of assembly, of procession and of demonstration, guaranteed by 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 the HKSAR, are to be protected in accordance with the law. For acts and activities endangering national security, there must be adherence to active prevention in accordance with the principle of the rule of law, and suppression and punishment in accordance with the law.

"The above safeguards and respect to human rights could be manifested in several areas as below: the legal provisions including definitions, criminal elements, applicable persons and scopes are clear, targeting acts and activities endangering national security with clarity so that members of the public will not unwittingly violate the law; appropriate exemptions and defences are provided; penalty and criminal liability are proportional; offences do not have retrospective effect; independent exercise of judicial power by the courts, free from any interference, is guaranteed. The Safeguarding National Security Ordinance has given due consideration to protecting the normal commercial activities and the need to engage in international exchanges of the financial, media and various types of organisations in Hong Kong. The HKSAR Government has repeatedly emphasised on different occasions that these normal commercial activities and international exchanges will not be affected. However, the US and Western countries, anti-China organisations (including Hong Kong Watch and Amnesty International), anti-China politicians (including Chris Patten), media, and wanted persons having absconded overseas continued to smear, deliberately disregarded the facts and slandered the Ordinance, fully exposing their hypocrisy and arrogance, as well as their malicious intentions to harm Hong Kong.

"The Safeguarding National Security Ordinance enables Hong Kong to effectively prevent, suppress and punish acts and activities endangering national security including espionage activities, conspiracies and traps set up by foreign intelligence agencies, and infiltration and sabotage by hostile

forces. The return to Hong Kong of 'black-clad violence' and 'colour revolution', as well as 'Hong Kong independence' and violent destruction can also be avoided. We no longer need to worry about threats of 'mutual destruction' in Hong Kong by saboteurs and their acts of damaging public facilities, throwing petrol bombs, setting fires, assaulting citizens with different opinions, pushing Hong Kong into an abyss, and destroying various infrastructure in the city. From now on, the people of Hong Kong will no longer experience these harms and sorrows.

"Following the successful enactment of the Safeguarding National Security Ordinance, the shortcomings in the legal system and enforcement mechanisms for the HKSAR to safeguard national security are addressed. We must once again emphasise that the ordinance is a piece of legislation to defend against external forces that endanger our national security, acting like a sturdier door and a more effective door lock to defend our home. Only invaders who want to intrude into our home to plunder and loot will not want Hong Kong to legislate to safeguard the country. The HKSAR Government strongly urges these Western countries, anti-China organisations, anti-China politicians, media and wanted persons absconding overseas, all with ulterior motives, to stop smearing and interfering in Hong Kong affairs which are internal affairs of China. Their despicable manoeuvre with politics is doomed to fail."