

HKSARG strongly objects to Hong Kong Policy Act Report released by US State Department

The Hong Kong Special Administrative Region (HKSAR) Government today (May 28) expressed strong opposition to sweeping remarks contained in the so-called report by the US State Department under the United States – Hong Kong Policy Act (the report).

"These remarks misrepresented the constitutional relationship between the HKSAR and the Central Authorities, smeared the implementation of 'One Country, Two Systems' in Hong Kong and interfered in the internal affairs of the HKSAR," a Government spokesman said.

Hong Kong is an inalienable part of the People's Republic of China (PRC). It is a local administrative region which shall enjoy a high degree of autonomy and come directly under the Central People's Government. The National People's Congress (NPC) of the PRC is the highest organ of state power and by virtue of the PRC Constitution, notably Articles 31 and 62, has the authority to establish special administrative region and to promulgate by law the systems to be practised in the special administrative region.

"Throughout the past 23 years, the Central Authorities and the HKSAR Government are conducting Hong Kong's internal affairs in accordance with the Constitution and the Basic Law, and in full accord with the 'One Country, Two Systems' principle. We regret the unfounded allegations in the report about erosion of HKSAR's high degree of autonomy and the legitimate rights and freedoms enjoyed by the people of Hong Kong."

Just as it is in any other country, including the United States, legislating on national security is within the purview of the Central Authorities. The Decision passed by the NPC today (May 28) on establishing and improving the legal system and enforcement mechanisms for the HKSAR to safeguard national security (the Decision) is within the power and authority of the NPC. By preventing, curbing and sanctioning acts of secession, subverting state power and organising and carrying out terrorist activities, as well as activities interfering with the HKSAR's internal affairs by foreign or external forces, the national security legislation to be enacted by the NPC Standing Committee in accordance with the Decision will restore stability in Hong Kong, better protect the legitimate rights and freedoms of Hong Kong people and contribute to HKSAR's long term prosperity.

"No reasonable person can deny that Hong Kong has been besieged by escalating violence since June last year. The emergence of incidents involving explosives and firearms has posed risks of terrorism, seriously jeopardising public safety. In addition, organisations advocating 'Hong Kong independence' and 'self-determination', allegedly supported by foreign or external forces, have incited protesters, especially young people, to

challenge the authority of the Central Authorities and the HKSAR Government. These are the facts on the ground."

In response to media enquiries about the "special status" or differential treatment under US law or sanctions to be applied to Hong Kong, the Government spokesman pointed out that Hong Kong's "separate customs territory" status is enshrined in the Basic Law and we shall continue to pursue the policy of free trade. As a separate member of the World Trade Organization, we expect to be fairly treated by our trading partners.

"The threat of sanctions to achieve the purpose of interfering with the policy of another place is a violation of international law and international practice. Practically, in Hong Kong–US relationship, any sanctions are a double-edged sword that will not only harm the interests of Hong Kong but also significantly those of the US.

"In the past decade, the US' trade surplus with Hong Kong has been the biggest among all its trading partners, with merchandise trade surplus totaling US\$297 billion from 2009 to 2018. In 2019, that surplus had come down from US\$31.4 billion in the preceding year to US\$26.4 billion as a result of the US–China trade tensions. Should any sanctions be contemplated in other areas like services and investment, the interests of the 1 300 US corporations based in Hong Kong might further be affected."

"The HKSAR Government hopes that the US Government would adopt a pragmatic attitude, and would, bearing in mind US' own interests in Hong Kong, refrain from interfering with the internal affairs of our nation and Hong Kong, and maintain her economic and trade policy towards Hong Kong."