

# HKSARG strongly opposes the UK Six-monthly Report on Hong Kong

In response to the unfounded remarks on Hong Kong in the United Kingdom Six-monthly Report on Hong Kong (the Report) released on December 14, a Hong Kong Special Administrative Region (HKSAR) Government spokesman said today (December 14):

"We strongly oppose the various unfounded allegations against the HKSAR Government in the Report. The HKSAR is an inalienable part of the People's Republic of China (PRC), is a local administrative region that enjoys a high degree of autonomy under 'one country, two systems' and comes directly under the Central People's Government (CPG). The HKSAR Government urges again the United Kingdom to respect the international law and basic norms governing international relations, and to stop interfering into the internal affairs of China through Hong Kong affairs."

## Improving the Electoral System

"We strongly oppose the Report's unfounded allegations against the improvement to the electoral system. As remarked by the Director of the Hong Kong and Macao Affairs Office of the State Council and Vice-Chairman of the National Committee of the Chinese People's Political Consultative Conference, Mr Xia Baolong, at the launching ceremony of the Hong Kong Chronicles – 'Hong Kong's participation in the country's reform and opening up', the upcoming General Election of the HKSAR carries four characteristics – namely broad representation, political inclusiveness, balanced participation and fair competition.

"The improvement to the electoral system fully implements the principle of 'patriots administering Hong Kong', ensuring that members of the Legislative Council (LegCo) are patriotic, love Hong Kong and act in the interests of the country's development and the long-term prosperity and stability of Hong Kong. On this basis, candidates of the seventh-term LegCo come from different backgrounds and across the political spectrum. Such diversity showcases the broad representation and political inclusiveness of the improved electoral system. Members of the new term of LegCo will separately be returned by the Election Committee, functional constituencies, and geographical constituencies through direct elections. By balancing the overall interests of Hong Kong, the interests of different sectors and districts, the LegCo Election ensures balanced participation. Furthermore, the healthy competition between candidates of this election reflects the fairness and competitiveness of the new electoral system.

"To ensure that the electoral system of the HKSAR accords with the principle of 'one country, two systems' and the actual situation of the HKSAR to maintain Hong Kong's long-term prosperity and stability, the improvement to the electoral system of the HKSAR is both timely and necessary. The HKSAR Government is committed to ensuring that public elections will be conducted

in a fair, open and honest manner."

## The Hong Kong National Security Law

"Following the implementation of the Hong Kong National Security Law (NSL), chaos stopped and stability has been restored in Hong Kong. The NSL ensures the resolute, full and faithful implementation of the policy of 'one country, two systems' under which the people of Hong Kong administer Hong Kong with a high degree of autonomy, and the legitimate rights and freedoms enjoyed by Hong Kong people under the Basic Law are well-protected. The NSL clearly stipulates that human rights shall be respected and protected in safeguarding national security in the HKSAR, and the rights and freedoms, including the freedoms of speech, of the press, of publication, of association, of assembly, of procession and of demonstration, enjoyed by residents under the Basic Law and the provisions of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights as applicable to Hong Kong shall be protected in accordance with the law. The four categories of offences endangering national security stipulated under the NSL are clearly defined. Law-abiding people will not unwittingly violate the law.

"Any law enforcement actions taken by law enforcement agencies are based on evidence, strictly according to the law, for the acts of the persons or entities concerned, and have nothing to do with their political stance, background or occupation."

## Prosecution and Adjudication

"The Report expresses concerns over the prosecutorial decisions and judicial independence of the HKSAR. Article 63 of the Basic Law stipulates that prosecutions in the HKSAR are made by the Department of Justice, free from any interference. Prosecutorial decisions are based on an objective assessment of all admissible evidence, applicable laws and the Prosecution Code, without political considerations. Prosecutions would only be commenced if there is sufficient admissible evidence to support a reasonable prospect of conviction. No one should interfere with independent prosecutorial decisions which are carried out strictly in accordance with the law.

"That the courts of the HKSAR can exercise independent judicial power, including that of final adjudication free from any interference, has been enshrined under the Basic Law as set out in Articles 2, 19 and 85. Article 92 of the Basic Law also clearly stipulates that judges and other members of the judiciary of the HKSAR shall be chosen on the basis of their judicial and professional qualities. The constitutional duty of judges, in the exercise of their judicial power, is to apply the law and nothing else. Such duty does not change when judges decide cases arising from or involving political controversies."