

# HKSARG strongly opposes to passage of the Hong Kong Autonomy Act by US Senate

The Hong Kong Special Administrative Region (HKSAR) Government today (June 26) expressed strong opposition to the passage of the "Hong Kong Autonomy Act" ("The Act") by the Senate of the United States (US) Congress.

A government spokesman said, "we urge the US Congress to immediately stop interfering in HKSAR's internal matters. The Act and the so-called "sanctions" are totally unacceptable and will only harm the relations and common interests between Hong Kong and the US.

"It must be clear that the Constitution of the People's Republic of China (PRC) and the Basic Law of the HKSAR of the PRC (the Basic Law) form the constitutional basis of the HKSAR. According to Article 1 of the Basic Law, the HKSAR is an inalienable part of the PRC. Article 12 of the Basic Law stipulates that the HKSAR shall be a local administrative region of the PRC, which shall enjoy a high degree of autonomy and come directly under the Central People's Government (CPG). The implementation of the 'one country, two systems' principle in the HKSAR is entirely the internal affairs of the PRC. No other state or legislature has the right to intervene, directly or indirectly, in those internal affairs.

"Since the return to the Motherland, the HKSAR has been exercising 'Hong Kong people administering Hong Kong' and a high degree of autonomy in strict accordance with the Basic Law. The 'one country, two systems' principle has been fully and successfully implemented. The HKSAR Government will continue to implement the 'one country, two systems' principle resolutely in accordance with the Basic Law.

Many of the Congress' comments on HKSAR affairs in the Act are seriously misleading and absolutely unfounded.

Regarding prosecution of persons engaged in illegal protests, the government spokesman reiterated that "Hong Kong has a well-established and fair criminal judicial system. Article 63 of the Basic Law provides that the 'Department of Justice of the HKSAR shall control criminal prosecutions, free from any interference'. The prosecutors have always been discharging this constitutional duty independently and professionally, without fear or favour. Prosecutorial decisions are based on an objective assessment of admissible and reliable evidence and applicable laws, made strictly in accordance with the Prosecution Code which is available to the public. Cases will not be handled any differently owing to the political beliefs, demands or backgrounds of the persons involved.

"The people of Hong Kong enjoy extensive rights and freedoms which are

enshrined in the Basic Law. Article 4 of the Basic Law provides that the HKSAR shall safeguard the rights and freedoms of the residents of the HKSAR and of other persons in the Region in accordance with law. In addition, human rights and freedoms in Hong Kong are fully protected by the Hong Kong Bill of Rights Ordinance and other legislation, and underpinned by an independent judiciary.

"As for the roles of the Hong Kong and Macao Affairs Office of the State Council and Liaison Office of the CPG in HKSAR, they represent the CPG to which the HKSAR comes directly under pertaining to Article 12 of the Basic Law. These offices have the power and responsibility over the proper and full implementation of the Basic Law and 'one country, two systems'. There is no question of their intervention in the affairs that the HKSAR administers on its own in accordance with the Basic Law.

"Any 'sanctions' imposed under the Act will not create an obligation for financial institutions under Hong Kong law. We however urge the US side to act responsibly by refraining from taking measures that may potentially affect the normal operations of financial institutions and the vast number of customers they serve."

The spokesman reiterated that foreign legislatures should not interfere in any form in the internal affairs of the HKSAR.