

Opening remarks by CE at media session on letter issued by Central People's Government (with video)

Following are the opening remarks by the Chief Executive, Mrs Carrie Lam, at a media session this afternoon (February 26):

The Central People's Government (CPG) issued a letter to me today, stating clearly its views on the prohibition of the operation of the "Hong Kong National Party" by the Hong Kong Special Administrative Region (HKSAR) Government in accordance with the law. I want to make the contents of the letter public instantly through the media. I know that the CPG will also release the full text of the letter later.

The letter contains three points.

(1) The CPG notes that the Secretary for Security of the HKSAR Government made an order to prohibit the operation of the "Hong Kong National Party" in Hong Kong on September 24, 2018. On February 19, 2019, the Chief Executive in Council of the HKSAR decided and confirmed that the order made by the Secretary for Security was effective. The CPG supports the HKSAR Government's decision to prohibit the operation of the "Hong Kong National Party" in accordance with the law.

(2) The letter reiterates that in accordance with the Constitution of the People's Republic of China and the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China, the HKSAR has the constitutional responsibility to safeguard national security in accordance with the law. The HKSAR is an inalienable part of the People's Republic of China and a local administrative region, which enjoys a high degree of autonomy and comes directly under the CPG. It is the duty of the HKSAR Government, and the shared obligation of all Chinese people, including the compatriots in Hong Kong, to safeguard the sovereignty and unity as well as territorial integrity of the country.

(3) The letter states that the Chief Executive of the HKSAR is accountable to the CPG and the HKSAR in accordance with the law. The CPG requests the Chief Executive to submit a report to the CPG regarding the prohibition of the operation of the "Hong Kong National Party" in accordance with the law and related circumstances.

As you may remember, over the past half year or so, the HKSAR Government has undergone various legal procedures for prohibiting the operation of the "Hong Kong National Party" in accordance with the local legislation, i.e. the Societies Ordinance. On July 17, 2018, upon receiving the recommendation of the Assistant Societies Officer, the Secretary for Security invoked section 8 of the Societies Ordinance and issued letters to the "Hong Kong National

Party” to give it an opportunity to make representations as to why an order prohibiting its operation or continued operation should not be made.

Following three extensions of time for making representations, the Secretary for Security decided on September 24, 2018 to make an order under section 8(2) of the Societies Ordinance to prohibit the operation or continued operation of the “Hong Kong National Party” on the grounds that it was necessary in the interests of national security, public safety, public order and the protection of the rights and freedoms of others. The order was published in the Gazette and took effect on the same day. On October 24, 2018, two office bearers of the “Hong Kong National Party” lodged appeals to the Chief Executive in Council against the order made by the Secretary for Security in accordance with section 8(7) of the Societies Ordinance just before the expiry of the 30-day appeal period. On February 19, 2019, the Chief Executive in Council dismissed the appeals, confirming the order made by the Secretary for Security. The appellants were informed of the results on February 21, 2019.

As pointed out by the Secretary for Security when he prohibited the operation of the “Hong Kong National Party”, his decision was made after prudent, careful and thorough consideration and was necessary in the interests of national security, public safety, public order, etc. Prohibiting the operation of the “Hong Kong National Party” is in line with our zero-tolerance stance on acts advocating the “independence of Hong Kong”. Expressing its support in the form of a letter, the CPG gives due recognition to the work of the HKSAR Government. Its request for the Chief Executive, that is myself, to submit a report to the CPG on the HKSAR Government’s handling of circumstances in relation to the matter manifests the constitutional responsibility of the Chief Executive, who is accountable to the Central People's Government.

As I have just received the letter today, my initial thinking is the report will cover the process, the facts and the legal procedures for the prohibition of the operation of the “Hong Kong National Party” by the HKSAR Government, demonstrating that the HKSAR Government acts according to the law. I am inclined to publicise the report but will seek the advice of the Department of Justice as to whether the report can be made public, having regard to possible judicial reviews lodged by the individuals concerned.