

Response to Joint Letter from Members of UK Parliament

In response to comments contained in the Joint Letter from some Members of UK Parliament on the condition of fundamental freedoms and rule of law in the Hong Kong Special Administrative Region (HKSAR), a spokesman for the HKSAR Government made the following response today (July 10):

Since the return to the Motherland, the HKSAR has been exercising a high degree of autonomy and "Hong Kong people administering Hong Kong" in strict accordance with the Basic Law. This demonstrates the full and successful implementation of the "one country, two systems" principle, which has been widely recognised by the international community.

In the HKSAR, the fundamental rights of residents are fully protected by the Basic Law, the Hong Kong Bill of Rights Ordinance (Cap 383) (HKBORO) and other relevant legislation.

The rule of law and judicial independence are the cornerstone of Hong Kong and the important elements of the success of the "one country, two systems" principle. The HKSAR Government has all along stood firm to guard and uphold the rule of law. The Department of Justice handles all criminal cases in accordance with the applicable law, relevant evidence and the Prosecution Code with no political consideration at all. The courts exercise judicial power independently.

Under Article 158 of the Basic Law, the Standing Committee of the National People's Congress (NPCSC) has the power to interpret the Basic Law. The NPCSC's power of interpretation of the Basic Law is part of the constitutional order of the HKSAR, and is recognised by Hong Kong courts. The NPCSC Interpretation in 2016 clearly explains the meaning of Article 104 of the Basic Law and the consequences of contravening the provision. The Interpretation also explains clearly the requirements for oath-taking by specified officers, including members of the Legislative Council. Any allegation of "political screening" is misleading and ill-founded.

Foreign legislatures should not interfere in any form in the internal affairs of the HKSAR. Statements arbitrarily made to undermine and bring possible damage to the rule of law and our well-recognised reputation in this regard is not conducive to Hong Kong's progress.