

SB strongly condemns unfounded and biased remarks by US Secretary of State, Mr Antony Blinken

The Security Bureau today (March 23) strongly condemned the unfounded and biased remarks made by the United States (US) Secretary of State, Mr Antony Blinken, which deliberately misled the public and smeared the Safeguarding National Security Ordinance (the Ordinance), so as to set the record straight.

The Secretary for Security, Mr Tang Ping-keung, said, "Mr Blinken once again targeted the Hong Kong Special Administrative Region (HKSAR) Government's work on safeguarding national security and made slandering, smearing, misleading and erroneous remarks against the Ordinance, showing his despicable political manoeuvre and hypocrisy with double standards. As a matter of fact, during the public consultation of the Basic Law Article 23 legislation, 98.6 per cent of the submissions of opinions showed support and gave positive comments, reflecting a strong consensus in society for the legislation, and it is also the aspiration of the people."

"The offences endangering national security stipulated by the Ordinance target acts endangering national security with precision, and define the elements and penalties of the offences with clarity. The prosecution has the burden to prove beyond reasonable doubt that the defendant has the actus reus and mens rea of an offence before the defendant may be convicted by the court. The Ordinance will not affect normal business operations and normal worldwide exchanges of local institutions, organisations and individuals. Law-abiding persons (including US businessmen and enterprises in Hong Kong and US travellers visiting Hong Kong) will not engage in acts and activities endangering our national security and will not unwittingly violate the law," Mr Tang continued.

"Extraterritorial effect for the offences endangering national security under the Ordinance fully aligns with the principles of international law, international practice and common practice adopted in various countries and regions. It is both necessary and legitimate, and is also in line with those of other countries and regions around the world. It can be seen that the national security laws of various countries, including the US, the United Kingdom, Australia, Canada and the Member States of the European Union, also have extraterritorial effect under the 'personality principle' and the 'protective principle'. In formulating the extraterritorial effect under the Ordinance, we have taken into account the principles of international law and international practice of state jurisdiction, as well as the nature of the offences."

"The Ordinance clearly specifies that the rights and freedoms enshrined in the Basic Law, as well as the provisions of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social

and Cultural Rights as applied to Hong Kong, are to be protected in accordance with the law. Mr Blinken neglected the relevant provision and lashed out wantonly, fully exposing his malicious intentions."

"Following the successful enactment of the Ordinance, the shortcomings in the legal system and enforcement mechanisms for the HKSAR to safeguard national security are addressed. We must once again emphasise that the Ordinance is a piece of legislation to defend against external forces that endanger our national security, acting like a sturdier door and a more effective door lock to defend our home. The HKSAR Government strongly urges these foreign governments with ulterior motives to stop smearing and interfering in Hong Kong affairs which are internal affairs of China. It is incumbent upon foreign governments to ensure that their remarks concerning the Ordinance are fair and just, and stop making scaremongering remarks," Mr Tang emphasised.

It is incontrovertible that safeguarding national security will provide a better business environment for businesses operating in Hong Kong. The HKSAR Government will continue to safeguard national security fearlessly, so that the HKSAR can focus its efforts on developing the economy, improving people's livelihood and maintaining the long-term prosperity and stability of Hong Kong.