

SJ fully supports legislative work for safeguarding national security in HKSAR

In response to the summary of the explanatory statement by an official of the Legislative Affairs Commission of the Standing Committee of the National People's Congress (NPC) at the 19th session of the Standing Committee of the 13th NPC on June 18 on a draft law on safeguarding national security in the Hong Kong Special Administrative Region (HKSAR) of the People's Republic of China, the Secretary for Justice, Ms Teresa Cheng, SC, today (June 21) made the following statement:

The passage of the Decision on establishing and improving legal system and enforcement mechanisms for HKSAR to safeguard national security (the Decision) by the NPC on May 28, and the enactment of the legislation by the Standing Committee of the NPC for inclusion in Annex III of the Basic Law to be promulgated by the HKSAR are premised on constitutional and legal grounds. The legislation only aims to prevent, curb and sanction an extremely small minority of criminals who threaten national security, so as to safeguard the prosperity and stability of Hong Kong and the implementation of "one country, two systems".

Article 4 of the Decision stipulates that the HKSAR must establish and improve institutions and enforcement mechanisms for safeguarding national security to strengthen enforcement power and the enforcement work on national security. It is also set out in the explanatory statement that a commission for safeguarding national security should be set up by the HKSAR. The Department of Justice, as one of the government departments which shoulder the major responsibilities in implementing the relevant enforcement work, will establish a dedicated unit to handle prosecutions in relation to national security.

Hong Kong has experienced social unrest with frequent violence over the past year. There is even advocacy of independence. In view of the increasingly serious situation the HKSAR is facing in relation to national security and the difficulty of the executive and legislative authorities of the HKSAR to complete on their own legislation for safeguarding national security in the foreseeable future, there is the need and emergency for the NPC to take steps at the national level to improve the legal system and enforcement mechanisms for the HKSAR to safeguard national security.

"The explanatory statement clearly points out that the HKSAR, in safeguarding national security, should respect and protect human rights and freedoms which are applicable in Hong Kong under the Basic Law, the International Covenant on Civil and Political Rights as well as the International Covenant on Economic, Social and Cultural Rights. The provisions should be able to address public concerns. I will lead the Department of Justice to provide full support to the legislative work for

safeguarding national security in the HKSAR." Ms Cheng said.