

Suspension of agreement on mutual legal assistance in criminal matters between Hong Kong and Canada, Australia and United Kingdom

In accordance with the instruction of the Central People's Government (CPG), the Hong Kong Special Administrative Region (HKSAR) Government has issued notices to Canada Consulate, Australia Consulate and the UK Consulate respectively today (July 28) to suspend the implementation of the Agreement between the HKSAR Government and the Government of Canada on Mutual Legal Assistance in Criminal Matters (MLA), the Agreement between the Government of Hong Kong and the Government of Australia Concerning MLA and the Agreement between the HKSAR Government and the Government of the United Kingdom (UK) Concerning MLA.

A Government spokesman said, "It is an international practice to safeguard national security through enactment of laws. Canada, Australia and the UK have respectively put in place relevant legislation and enforcement mechanisms for safeguarding their national security and sovereignty. For example, Canada has the National Security Act, Criminal Code, Access to Information Act, Secure Air Travel Act and Canada Elections Act. As for Australia, they have the National Security Law Amendment (Espionage and Foreign Interference) Act, Criminal Code Act, Crimes Act and Foreign Influence Transparency Scheme Act. In the UK, there are the Treason Felony Act, Official Secrets Act, Political Parties, Elections and Referendums Act, and Security Service Act.

"However, they have unilaterally suspended the agreements on surrender of fugitive offenders (SFO) with the HKSAR using the enactment of the National Security Law in Hong Kong as an excuse. It smacks of political manipulation and double standards. It is also a gross interference in China's internal affairs and a grave violation of international law and basic norms governing international relations. The HKSAR Government strongly objects to their moves. The wrongful act of Canada, Australia and the UK in politicising juridical co-operation has seriously damaged the basis of juridical co-operation between the HKSAR and these three countries. For this reason, in accordance with the instruction of the CPG, the HKSAR Government suspends the implementation of the MLA agreement between the HKSAR and Canada, the MLA agreement between the HKSAR and Australia, and the MLA agreement between the HKSAR and the UK."

All along, with the authorisation and assistance of the CPG, the HKSAR Government has conducted close and effective law enforcement co-operation with Canada, Australia and the UK under the legal framework of SFO and MLA agreements based on the principle of mutual assistance and reciprocity. Notwithstanding the suspension of the Agreement between the HKSAR Government

and the Government of Canada on MLA, the Agreement between the Government of Hong Kong and the Government of Australia Concerning MLA and the Agreement between the HKSAR Government and the Government of the UK Concerning MLA, the HKSAR has established a comprehensive co-operation regime for the surrender of fugitives and mutual legal assistance. The HKSAR Government will, as always, uphold the principle of mutual assistance and reciprocity, and carry out law enforcement co-operation with other members of the international community in accordance with the law.