

Transcript of remarks by CE at media session before ExCo meeting

Following is the transcript of remarks by the Chief Executive, Mrs Carrie Lam at a media session before the Executive Council meeting today (September 8):

Reporter: Good morning. First, on the 12 Hong Kong people who have been arrested and are now detained in the Mainland, has the Hong Kong Government been doing anything or any negotiations with Mainland authorities to try to get the 12 people back to Hong Kong for trials they're facing here? And their lawyers are being denied access to them. Is the Hong Kong Government doing anything to make sure that the legal rights of its citizens are protected? Second question. Following the arrest of Tam Tak-chi, in future, is the Government just going to use the colonial-era law against sedition speech to target opposition activists? And can people raise discontent or disaffection with the Government anymore? Third question – During protests on Sunday, there's a video showing the Police tackling a 12-year-old girl to the ground. The girl said she's just out to buy school supplies and she lives in the area. So what's wrong with that? And is the Police increasingly aggressive tactic to even residents living nearby helping the society return to normal in any way? Thanks.

Chief Executive: Three different questions. First of all, if you remember, about two years ago we signed an agreement with the Mainland authorities on a notification mechanism. Whenever there are Hong Kong people being arrested under a certain set of circumstances alleged to have breached certain offences, then we will receive notification. I can say that on this occasion, the Police have been notified of the arrest of these Hong Kong residents. But the question is not a question of simply getting them back, as you have put it, because if these Hong Kong residents were arrested for breaching Mainland offences, then they have to be dealt with according to the Mainland laws, in accordance with the jurisdiction before any other things could happen. I think the Police have notified the families of some of these residents and if they need any help, as usual, I have said on many occasions that we have a duty to render assistance to Hong Kong residents being stranded or being caught in all different sorts of situations outside Hong Kong and that will continue to be our approach. We have an office in Guangzhou, and the Guangzhou office will also be liaising with the relevant authorities to see what sort of assistance we should render to these Hong Kong residents.

The second point is about law enforcement. There isn't a distinction between the age of a law, so to speak, whether the law is pre-1997 or post-1997, the law is still valid, then it is a law that could be deployed under certain circumstances. The particular incident you have referred to is exactly in accordance with that arrangement. There is a law in place and if there is evidence that someone has breached the law, then the law enforcement authorities will have to take action. There is nothing to do with freedom of

speech. As I have said again on many occasions including in explaining provisions in the national security law, we uphold the freedoms and rights enjoyed by Hong Kong people under the Basic Law and the relevant provisions in the international covenants as applied to Hong Kong, but one will have to realise that whether in the international covenants or the Bill of Rights Ordinance, exercising of some of the rights is not without limits. For example, in terms of freedom of speech, it could be limited by law under certain situations, for example, in safeguarding national security, ensuring public order, for public health reasons or to protect the rights and reputation of another person, then there will be laws to limit the expressions of such speeches by individuals in Hong Kong.

About the actual law enforcement activities of the law enforcement agencies, including the Hong Kong Police Force, one has to look at the actual circumstances. It will not be right for the Chief Executive to give an opinion on the actual operation on the ground, except to assure you that every incident and every complaint in terms of the actions taken by the law enforcement agencies will be fully investigated.

Thank you.

(Please also refer to the Chinese portion of the transcript.)