

## Transcript of remarks by CE at media session before ExCo meeting (with video)

Following is the transcript of remarks by the Chief Executive, Mrs Carrie Lam at a media session before the Executive Council meeting today (June 23):

Reporter: First question, why should people take your comments and your ministers' comments about the national security law seriously if you guys have not read details in the clauses, and that, you know, just yesterday your justice minister is still holding a copy of what Xinhua reported? Second question, about the judges' appointment, can you say categorically, will foreign judges be involved in hearing national security law cases in the future? And third question, about the health code system, can you confirm that there's a health code system coming into effect by the end of this week but excluding Macao, and if so, what are the rationales? Thank you.

Chief Executive: Thank you for those three questions. First, yes, you are right, we have not seen the complete details of the proposed legislation, so every time, whether it's the Secretary for Justice or myself or the Secretary for Security, we were commenting on what we have seen. First of all, we have seen a decision endorsed by the National People's Congress on May 28. Based on the Decision, I explained here about the five principles and the assurances and so on. Then last Saturday, there was this published by the Xinhua News Agency on the explanatory statement introduced to the National People's Congress Standing Committee on June 18, which contains, actually, quite a lot of details, including the key content of the draft legislation. So based on that, I have given you my comments and my understanding. On many other things, we are referring to the Basic Law. The authority of many other things lies in the Basic Law, and this is the Basic Law that has given Hong Kong prosperity and stability in the past 23 years. It will continue to do so as long as we do not deviate from the Basic Law.

About the second question, again under the Basic Law, there are only two positions in the Judiciary that have a nationality requirement – that is the Chief Justice of the Court of Final Appeal and the Chief Judge of the High Court. That's why I said that while many people have been advocating that only Chinese citizen judges should adjudicate over national security cases, this is simply not quite realistic because we don't know how many judges now sitting on the bench have foreign nationality. What's more, I have quoted to you that judges, as far as in the Hong Kong SAR are concerned, are appointed on the basis of their judicial and professional qualities. With those safeguards in place, the answer should be obvious: there are no particular restrictions on the judges to be designated by the Chief Executive onto the future group to adjudicate these national security cases. Hong Kong is very blessed with a large number of very distinguished foreign judges sitting on

the Court of Final Appeal. We now have 15 coming from UK, Canada and Australia, so likewise, I pay tribute and respect to each one of them over these years in my capacity as the CS and the CE.

The third question about health code, let me say that I fully understand and recognise the hardship and grievances of many Hong Kong people who could not travel across the border because of these anti-epidemic measures in terms of border control. We have been working very hard to find a way to at least allow some essential travel to take place. Under the regulation imposing the 14-day mandatory quarantine requirement, that is Regulation 599C, there are exemptions. At the moment, I think we have a dozen categories of exemptions: for truck drivers, for government operations, for people involved in the anti-epidemic work and for people who have a factory in the Mainland and so on. But now the problem is not just on our side because the Mainland authorities have also imposed a 14-day mandatory requirement since the end of April. We have to find a way to overcome both sets of 14-day requirements before people could readily travel again. A lot of work has been done on that front including the health code. The health code actually means that you need to have in your possession a certificate to prove that you have a COVID-19 test which is 'negative'. Then you can travel without this 14-day mandatory requirement. As far as the timing, we want to do it as soon as possible but there are certain technical issues to overcome and the number of people that we will be allowing across the border every day and so on. But I can tell you the detailed work covers both Guangdong and Macao. I have personally spoken to Macao Chief Executive Mr Ho Iat-seng and both governments, the Hong Kong and the Macao governments, are working very hard to achieve that sort of facilitating travel for our respective citizens. Hong Kong people want to go to Macao, Macao people need to come to Hong Kong for various businesses. Let me assure you that we attach a lot of importance, we are working very hard and we hope to be able to tell you the arrangement when we are in a position to do so.

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