

# Government firmly refutes unfounded, misguided claims in open letter from a group of overseas politicians and persons

The Hong Kong Special Administrative Region (HKSAR) Government today (January 1) refutes as unfounded and misguided claims in an open letter to the Chief Executive signed by a group of overseas politicians and persons.

A Government spokesman made clear that since Hong Kong's return to the Motherland, "One Country, Two Systems" and a high degree of autonomy had been faithfully implemented in strict accordance with the Basic Law of HKSAR. The Basic Law clearly stipulates that the HKSAR is an inalienable part of the People's Republic of China (PRC). Foreign politicians and organisations should not interfere in any form in the internal affairs of the HKSAR.

"We are gravely concerned that the claims in their letter are biased and misleading. The HKSAR Government must rebut them to ensure they truly understand the extent of violence by radical protesters and the attacks they have made on the Police and citizens," the spokesman said.

## Severe violence by radical protesters

Over the past six months, it was widely reported (though less so in overseas media) that protester violence had escalated and reached an alarming level. Masked rioters have vandalised public facilities and shops, committed arson, hurled petrol bombs as well as wantonly attacked police officers and people with different views in various districts, seriously undermining public order. An innocent man was set on fire in broad daylight by protesters while a government contract cleaner was killed by a brick thrown at him. So far, 520 police officers have been injured on duty.

No protesters have been killed as a result of direct Police action, while several policemen have been seriously injured. This is the stark reality that foreign politicians and organisations, including the signatories of the open letter, must be made aware of.

The extent of students and minors being involved in such violent protests is particularly worrying. Two secondary school students have been arrested for bringing a highly explosive substance, triacetone triperoxide (TATP), to their school in Ma On Shan. The explosive substance was safely removed by Police.

While TATP may look like an innocuous white powder, it is very destructive and unstable. This case shows that dangerous items and explosives have fallen into the hands of young students.

And just days ago, a 16-year-old teenager was arrested for assaulting police officers and robbery for attempting to snatch a gun from a police officer. He has been refused bail by the court.

The severity of the situation has often brought our city to a chaotic halt, with many citizens suffering from severe disruption to daily life and fear for their personal safety. This fear is not confined to physical violence, but to the immense pressure of being bullied or harassed simply because of their background and opinions.

#### Police exercise restraint in law enforcement

The spokesman stressed that Police do not initiate actions against protesters and only respond with appropriate and proportionate force when protesters take part in illegal activities.

The actions and response of Police over the Christmas period, and at all times over the past six months, were only in response to the blatant disregard for public safety and order by radical protesters. Police acted with restraint and the minimum force necessary to restore law and order. Police have established clear guidelines on the use of force which are consistent with international human rights norms and standards.

Since June 9, over 1 000 demonstrations, processions and rallies have been held in Hong Kong. All along, Police have facilitated the conduct of peaceful and lawful public meetings or public processions. However, if protesters resort to violence, the Police have no choice but, if there are no other means and after giving warnings where circumstances permit, to use appropriate force to prevent injury to life and property.

If Police are unable to carry out any operations to arrest rioters resorting to escalating violence, causing damage from one place to another or even manufacturing life-threatening weapons, we will not be able to competently deal with the difficult and unprecedented situation confronting our city.

The spokesman stressed that, "Hong Kong is fully capable of resolving the current challenges on its own and has a well-established mechanism to deal with complaints against police officers through the Independent Police Complaints Council".

"As a matter of principle and law, the HKSAR Government rejects and deplores the use of violence against anyone for any purpose and on any occasion. Violence is after all violence. We have the responsibility to adopt lawful measures to maintain public safety, public order, as well as safeguard people's life and property. It is necessary for us to actively investigate illegal and violent acts to bring offenders to justice, whoever they may be."

The spokesman cited a recent judgement handed down on November 15 by

Hong Kong's Court of First Instance which observed that criminal activity would not cease to be criminal activity simply because the actor believed himself or herself to be acting for a cause.

#### Freedom and rule of law

The spokesman further stated, "The HKSAR Government fully recognises that freedom and the rule of law are the core values of Hong Kong and the cornerstone of our long-term prosperity and stability, and the HKSAR Government is determined to safeguard these core values at all times.

"In fact, the extensive media coverage – local, international and in the digital world – about the protests and events is unprecedented in Hong Kong's history. That in itself is evidence enough that the freedom of the press is well protected, and citizens of Hong Kong continue to enjoy the freedom of participating in lawful and peaceful demonstrations to express their views.

"In Hong Kong, we believe in the rule of law which means people are innocent until proven guilty; that offenders are only charged if there is enough evidence to do so; and we place our faith and trust in the integrity of our fiercely independent judiciary," the spokesman said, noting that Hong Kong's judicial independence ranked second in Asia and eighth in the world, according to the World Economic Forum: Global Competitiveness Report.

"Those who claim that people have been unjustly detained are simply jumping the gun and conveniently ignoring the tried and trusted mechanisms that underpin our common law system.

"Nobody anywhere is in any position to claim that protesters have been unjustly detained until such time as the legal process has run its course."

#### Reject foreign interference into HKSAR's affairs

The spokesman rejected outright the suggestion in the open letter that the international community establish an international independent inquiry mechanism.

"Such action, coupled with the threat of Magnitsky sanctions, would be a gross interference in Hong Kong's governance and autonomy as well as the sovereignty of our nation. No government would tolerate such action or bow to such pressure," the spokesman added.

On political reform, the spokesman said this was also an internal matter for the HKSAR Government.

"We did introduce legislation to make the selection of the 2017 Chief Executive election more democratic only to have it rejected by those politicians claiming to be championing for democracy," the spokesman said.

The spokesman emphasised that, "the HKSAR Government will continue to

engage different sectors of society through the usual channels, whilst broadening and rejuvenating its communication with the public.

“Since September last year, the Chief Executive and Principal Officials of the Government have started a dialogue with the public through various channels.

“The Government is also establishing an Independent Review Committee comprising experts and community leaders. The Committee will look into the causes and full circumstances of the social unrest and probe Hong Kong’s deep-seated social conflicts, from affordable housing, land supply, wealth gap, upward social mobility and opportunities for our young people to social justice.

“The Committee will recommend ways to address the real and long-entrenched community concerns that underlie the discord.

“We understand that many in the international community are concerned about Hong Kong and its future but Hong Kong people have the wisdom and resilience to solve the current impasse on our own. And we will,” the spokesman added.

“We also understand that Hong Kong is being used as a pawn by some in the West to further their own agendas based on a one-sided narrative that paints a negative picture of the HKSAR Government’s actions to restore calm and peace while ignoring the ongoing serious threats to law and order by radicals that they would hardly tolerate in their own country.”