

HKSAR Government strongly condemns and rejects US Hong Kong Policy Act Report

The Government of the Hong Kong Special Administrative Region (HKSAR) today (April 1) strongly disapproved of and rejected the untruthful remarks, slanders and smears against various aspects of the HKSAR in the United States (US)'s so-called 2025 Hong Kong Policy Act Report. It was apparent that the so-called report was compiled to serve the political purpose of maintaining US hegemony. It, once again, clearly exposed the US's barbarity under its hegemony. By piling up false stories and narratives, they were clearly crafted to serve the political interest of the US in order to suppress the development rights and security interests of others.

A spokesman for the HKSAR Government said, "The HKSAR Government strongly condemns and rejects the wanton slander about and political attacks in the US's so-called 2025 Hong Kong Policy Act Report on Hong Kong where the 'one country, two systems' principle is successfully implemented. The HKSAR is an inalienable part of the People's Republic of China, and as a local administrative region that enjoys a high degree of autonomy under the principle of 'one country, two systems', comes directly under the jurisdiction of the Central People's Government. The US once again told fallacies about Hong Kong by replacing the rule of law with political manipulation and confounding right and wrong, and blatantly interfering in Hong Kong affairs which are entirely China's internal affairs. The US's attempt to undermine the stability and prosperity of Hong Kong will only expose its slyness and will never succeed."

The spokesman said, "The so-called 'sanctions' arbitrarily imposed against the officials of the HKSAR and the Central Authorities who perform their duties in accordance with the law by the US at the same time when publishing the so-called report smacks of despicable political manipulation to intimidate the relevant officials safeguarding national security. These grossly interfere in China's internal affairs and Hong Kong affairs, and seriously violate the international law and the basic norms governing international relations. It, once again, clearly exposed the US's barbarity under its hegemony, which is exactly the same as its recent tactics in bullying and coercing various countries and regions. The HKSAR despises such so-called 'sanctions' by the US and is not intimidated by such despicable behavior. The HKSAR will resolutely continue to discharge the duty of safeguarding national security. The HKSAR Government will make every effort to protect the legitimate rights and interests of all personnel."

The spokesman reiterated, "The HKSAR Government steadfastly safeguards national sovereignty, security and development interests, and fully and faithfully lives up to the highest principle of 'one country, two systems'. It will resolutely, fully and faithfully implement the Hong Kong National Security Law (NSL), the Safeguarding National Security Ordinance and other relevant laws safeguarding national security in the HKSAR, to, in accordance with the law, effectively prevent, suppress and impose punishment for acts

and activities endangering national security, whilst upholding the rights and freedoms of Hong Kong people, so as to ensure the steadfast and successful implementation of the principle of 'one country, two systems'. The HKSAR Government strongly demands the US to immediately stop acting in violation of international law and basic norms of international relations and interfering in China's internal affairs and Hong Kong affairs."

Regarding the slandering remarks in the so-called report, the Government solemnly rejects them in the ensuing paragraphs.

Laws safeguarding national security

The HKSAR Government spokesman said, "As repeatedly stressed by the HKSAR Government, the laws safeguarding national security in the HKSAR are precisely for safeguarding national sovereignty, unity and territorial integrity; and ensuring the full and faithful implementation of the principle of 'one country, two systems' under which the people of Hong Kong administer Hong Kong with a high degree of autonomy. It will also better safeguard the fundamental rights and freedoms of the residents of the HKSAR and other people in the city. The rights and regular exchanges between Hong Kong residents and people doing business in Hong Kong with foreign countries will not be affected.

"The US Government had vilified the HKSAR's legislative work, as well as law enforcement agencies, prosecutorial and judicial authorities, in claiming that fulfilment of their duties constituted an 'erosion of rights and freedoms'. However, the fact is that the US has been ignoring the non-interference principle under international law, interfering with other countries' internal affairs, grooming agents, instigating 'colour revolutions', and even creating social unrest and multiple humanitarian disasters through economic and military coercion, causing suffering to people in many countries. In the HKSAR, the 'black-clad violence' and the Hong Kong version of 'colour revolution' back in 2019 have severely damaged the social stability of Hong Kong. With the promulgation and implementation of the Hong Kong National Security Law (HKNSL), its effect in stopping violence and curbing disorder as well as quickly restoring social stability in the Hong Kong community was immediate. With the concerted efforts of the HKSAR Government, the Legislative Council and all sectors of the community, the HKSAR fulfilled its constitutional duty by enacting the Safeguarding National Security Ordinance (SNSO) last year to improve the legal system and enforcement mechanisms for safeguarding national security, enabling Hong Kong's transition from chaos to order and its advancement from stability to prosperity, allowing the livelihood and economic activities of the Hong Kong community at large to swiftly resume to normal and the business environment to be restored and improved continuously. In the Economic Freedom of the World 2024 Annual Report, Hong Kong ranks as the world's freest economy among 165 economies. In the World Competitiveness Yearbook 2024, Hong Kong's ranking improved by two places to fifth globally. The legal regime in safeguarding national security in the HKSAR has been strengthened, which prevented the tactics of the US from succeeding. Thereafter, the US continued to act recklessly and even imposed the so-called 'sanctions' unscrupulously

in the guise of defending human rights and democracy. This constitutes a demonstration of shameless hypocrisy with double standards on the part of the US, showing that their bullying acts are utterly ugly and despicable.

"The specific content of the SNSO fully demonstrates that it was formulated strictly in accordance with the rule of law principles: including clear definitions of the elements that constitute an offence, only making necessary and reasonable restrictions on basic human rights and freedoms in accordance with applicable international standards and with reference to relevant practices in other common law jurisdictions, and not affecting the legitimate rights and interests of innocent third parties etc. At the same time, the HKSAR law enforcement agencies have been taking law enforcement actions based on evidence and strictly in accordance with the law in respect of the acts of the persons or entities concerned, paying no regard to their political stance, background or occupation. In the past, the US and some Western countries had also carried out law enforcement actions against the dissemination of disinformation, incitement of hatred, and glorification of violence in their own countries. Their disparagement of the HKSAR only exposes their double standards.

"As regards the sedition offence, the courts of the HKSAR have ruled in different cases that the provisions relating to sedition are consistent with the relevant provisions of the Basic Law and the Hong Kong Bill of Rights on the protection of human rights, and that a proportionate and reasonable balance has been struck between safeguarding national security and protection of the freedom of speech. It should be reiterated that the offence is not meant to silence expression of any opinion that is only a genuine criticism against the Government based on objective facts.

"The HKNSL and SNSO have an extraterritorial effect. As the law enforcement department of the HKSAR safeguarding national security, the Police are duty bound to pursue the liability of those who have allegedly endangered national security overseas. Those absconders hiding in the US and other Western countries are wanted because they continue to blatantly engage in activities endangering national security, including inciting secession and requesting foreign countries to impose 'sanctions' or blockade and engage in other hostile activities against the People's Republic of China and the HKSAR. More so, they continue to collude with external forces to be covered for their evil deeds. Their malicious acts to endanger national security have been seen through by all, and there is no doubt that they have clearly and seriously endangered national security. As the law enforcement department of the HKSAR safeguarding national security, the Police are duty bound to put the persons concerned on the wanted list in accordance with the law, and it is necessary to take all lawful measures, including the measures specified under section 89 of the Safeguarding National Security Ordinance, to strongly combat the acts of abscondment. The action is fully justified, necessary and legitimate. The extraterritorial effect for the laws safeguarding national security fully aligns with the principles of international law, international practice and common practice adopted in various countries and regions. Quite a number of countries would also impose similar measures on wanted criminals, including cancellation of passports.

"As guaranteed by the Basic Law and the Hong Kong Bill of Rights, all defendants charged with a criminal offence shall have the right to a fair trial by the Judiciary exercising independent judicial power. The courts of the HKSAR shall exercise judicial power independently, free from any interference. It is such a disgrace for the US to make unwarranted comments on criminal trials which are ongoing in the HKSAR courts.

"Every state will enact laws on safeguarding national security. This is an inherent right of every sovereign state, and is also an international practice. In terms of national security-related legislation, the US has at least 21 pieces. There have also been countless administrative orders issued in the name of so-called 'national security'. The US does not only generalise the concept of 'national security' to intimidate individuals and corporations which engage in legitimate activities, but has also even at every turn suppressed dissidents with various means, and is in no position to point its finger at other countries and regions for making their own legislation for safeguarding national security legitimately. The US entirely disregarded the constitutional duty and practical needs of the HKSAR to legislate, and the positive effects brought by the enactment of the relevant national security legislation on economic development and protection of human rights, and must be strongly condemned."

Improved electoral system and reform of District Councils

The HKSAR Government spokesman pointed out, "The improved electoral system of the HKSAR puts in place legal safeguards to ensure the full implementation of 'patriots administering Hong Kong'. Keeping political power in the hands of patriots is a political rule commonly adopted around the world. No one in any country or region in the world will ever allow political power to fall into the hands of forces or individuals who do not love, or even sell out or betray, their own country. In Hong Kong, regardless of one's background, whoever meets the requirements and criteria of patriots can participate in elections in accordance with the law and serve the Hong Kong public by entering into the governance structure of the HKSAR after getting successfully elected.

"Reforming District Councils (DCs) is an important part of improving district governance. The DCs have returned to their rightful positioning under Article 97 of the Basic Law as advisory and service bodies that are not organs of political power, and the principle of 'patriots administering Hong Kong' has been fully implemented, which is of great significance. Individuals who love the country, have an affection for Hong Kong and are dedicated to serving their districts can participate in the work of DCs through a variety of channels, thereby reflecting public opinion more comprehensively and accurately."

Safeguarding due administration of justice and rule of law

The HKSAR Government spokesman pointed out, "The HKSAR Government safeguards independent judicial power and fully supports the Judiciary in

exercising its judicial power independently, safeguarding the due administration of justice and the rule of law. Articles 2, 19 and 85 of the Basic Law specifically provide that the HKSAR enjoys independent judicial power, including that of final adjudication, and the courts of the HKSAR shall exercise judicial power independently, free from any interference. Article 92 of the Basic Law also clearly stipulates that judges and other members of the Judiciary of the HKSAR shall be chosen on the basis of their judicial and professional qualities. All judges and judicial officers are appointed by the Chief Executive on the recommendation of an independent commission composed of local judges, persons from the legal profession and eminent persons from other sectors. All judges and judicial officers so appointed will continue to abide by the Judicial Oath and administer justice in full accordance with the law, without fear or favour, self-interest or deceit. Establishing the mechanism for safeguarding national security in the HKSAR will not undermine the independent judicial power. Our judicial system continues to be protected by the Basic Law. When adjudicating cases concerning offence endangering national security, as in any other cases, judges remain independent and impartial in performing their judicial duties, free from any interference. Any reasonable, objective and fair-minded person who has read the publicly accessible judgments of the court on relevant cases would certainly reach the same conclusion.

"The principle of judicial deference to the executive's assessment on national security is well established in common law jurisdictions including the US. The Court of Appeal in an important judgment decided in May 2024 that there are at least three areas where the court would make judgment while giving the executive deference on assessment on national security: first, where a fundamental right of the person affected by the measure is engaged; second, where the requirement of a fair trial is in issue; and third, where the question of open justice is raised. The vilification of the US against the HKSAR that the executive influences how the court should interpret laws' goes completely against the fact.

"The Department of Justice takes charge of criminal prosecutions, free from any interference by virtue of Article 63 of the Basic Law. All prosecutorial decisions are based on an objective analysis of all admissible evidence and applicable laws."

The spokesman stressed, "The rule of law in Hong Kong is strong and robust, and withstands the test of time. Hong Kong's common law system has been built and maintained over the years by the joint efforts of the Judiciary and legal professions, including judges at all levels of courts, and it will not be changed because of the departure of individual overseas non-permanent judges. In fact, when Lord Collins of Mapesbury resigned, he had stated that he continued to 'have the fullest confidence in the Court and the total independence of its members'. The Right Honourable Madam Justice Beverley McLachlin also reiterated her 'confidence in the members of the Court, their independence, and their determination to uphold the rule of law'.

"The Judiciary exercises judicial power independently in accordance with

the law, and everyone charged with a criminal offence has the right to a fair hearing. The courts decide cases strictly in accordance with the evidence and all applicable laws. Cases will never be handled any differently owing to the profession, political beliefs or background of the persons involved. The prosecution has the burden to prove beyond reasonable doubt the commission of an offence before a defendant may be convicted by the court.

"All cases concerning offences endangering national security will be handled by the prosecution and judicial authorities of the HKSAR in a fair and timely manner in strict compliance with Article 42(1) of the Hong Kong National Security Law. The situation of so-called 'indefinite detention' does not exist at all. The US's detention against an individual whom it sees as a 'terrorist' for up to 20 years without charge is the real 'indefinite detention'."

Safeguarding rights and freedoms

The HKSAR Government spokesman said, "The HKSAR Government steadfastly safeguards the rights and freedoms enjoyed by Hong Kong people as protected under the law. Since Hong Kong's return to the motherland, human rights in the city have always been robustly guaranteed constitutionally by both the Constitution and the Basic Law. The NSL and the Safeguarding National Security Ordinance also clearly stipulate that human rights shall be respected and protected in safeguarding national security in the HKSAR, and that the rights and freedoms, including the freedoms of speech, of the press, of publication, of association, of assembly, of procession and of demonstration, that Hong Kong residents enjoy under the Basic Law and the provisions of the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights as applied to Hong Kong, shall be protected in accordance with the law. Nonetheless, just as the case with other places in the world, such rights and freedoms are not absolute. The ICCPR also expressly states that some of them may be subject to restrictions as prescribed by law that are necessary for protection of national security, public safety, public order or the rights and freedoms of others, etc.

"In fact, since the implementation of the Hong Kong National Security Law and the Safeguarding National Security Ordinance, the media landscape in Hong Kong has remained vibrant. Like all other places in the world, freedom of the press and speech are not absolute. The media, like everyone else, has an obligation to abide by all the laws. The media continue to enjoy the freedom to comment on and criticise government policies without any restriction, as long as this is not in violation of the law. The most crucial point is that journalists must act in good faith and on accurate factual basis and provide reliable and precise information in accordance with the tenets of 'responsible journalism' in order to enjoy the protection of their rights to freedom of speech and press freedom."

Enhancing national education

The HKSAR Government spokesman pointed out, "Schools are places for

students to learn and grow. It is the obligation of schools to provide a safe and orderly school environment and atmosphere, and to maintain a campus free from political interference or illegal activities, for safeguarding students' well-being. National education has been an important part of the curricula for primary and secondary schools as well as kindergartens with a view to deepening our students' understanding of the country's national affairs, history and culture, the Constitution and the Basic Law, as well as national security, thereby building up students' cultural confidence to foster a sense of national identity, and cultivating them into a new generation that is able and virtuous with a sense of responsibility, visions and love for the country and the city. Teachers are also important role models for their students, playing a vital role in passing on knowledge and nurturing students' character. The HKSAR Government has the responsibility to ensure the professional conduct of teachers. Implementation of national education, including national security education, is the legitimate duty of education authorities all over the world. Different places attach great importance to implementing national security education and developing their students' sense of national identity, including knowledge of their respective constitution, their own history, culture, geography, etc.

"Academic freedom is an important social value treasured in Hong Kong and the cornerstone of our higher education sector. Since the implementation of the National Security Law, academics or post-secondary education institutions in Hong Kong continue to conduct normal exchange activities with their foreign or external counterparts. Meanwhile, post-secondary institutions in Hong Kong have taken a series of measures to incorporate national security education into students' learning in fulfilment of their statutory duty. These institutions enjoy autonomy on curriculum design, and the HKSAR Government encourages the institutions to provide students with diversified learning opportunities on national security education."