

# HKSARG firmly opposes the Hong Kong Autonomy Act becoming US law

The Hong Kong Special Administrative Region (HKSAR) Government issued a statement today (July 15), expressing its strong opposition to the United States (US) signing into law the so-called "Hong Kong Autonomy Act" (the Act) passed by the US Congress. The HKSAR Government strongly objected to and deplored the series of measures to be adopted by the US under the President's executive order. As mentioned in the statement of the Ministry of Foreign Affairs of our country, the move of the US seriously violates international law and the basic norms underpinning international relations, and constitutes gross interference in Hong Kong affairs and China's internal affairs, which is deeply regretted. The HKSAR Government will fully support the Central Government to adopt counter-measures and will not allow the US hegemony to succeed.

A Government spokesman said, "It is hypocritical for the US to introduce measures to attack China by creating issues in the HKSAR under the pretext of human rights, democracy and autonomy out of its own political considerations. It is egregious for the US to undermine the relationship between the HKSAR and the Central Authority under 'One Country, Two Systems' and to cover its abhorrent acts by the political slogan of 'supporting Hong Kong people'. This move is in violation of international law, and will definitely harm the relations and common interests between China and the US, and that of Hong Kong and the US, causing tremendous damage to the companies and people of the US.

"The US has clearly demonstrated its double standards by rationalising the measures to be adopted under the Act and the executive order on ground of safeguarding its national security, while claiming that the enactment of national security legislation by the Central Authority for the HKSAR is undermining the HKSAR's high degree of autonomy. It is the legitimate right and duty of every state to safeguard its national security. Matters concerning the national security of any local region fall squarely within the purview of the central authorities. For any state, be it adopting a unitary or federal system, legislation on national security is invariably carried out by the central authorities rather than local government. There are at least 20 pieces of legislation that safeguard national security in the US, and the law enforcement agencies are all authorities at the federal level.

"The US should be clear about the fact that the HKSAR is an inalienable part of the People's Republic of China (PRC) and a local administrative region which enjoys a high degree of autonomy and comes directly under the Central People's Government. As the highest organ of state power in the PRC, the National People's Congress has the constitutional power and duty to enact national law to safeguard national security in the HKSAR (i.e. the Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region (the National Security Law) adopted on June 30) and to apply it to Hong Kong by promulgation in accordance with the

provisions of the Basic Law.

The spokesman stressed, "Since the return to the Motherland, the HKSAR has been implementing the 'One Country, Two Systems' principle, 'Hong Kong people administering Hong Kong' and a high degree of autonomy in strict accordance with the Basic Law. The Central Government has given the 'One Country, Two Systems' principle unswerving support and acted in strict accordance with the Constitution and the Basic Law."

"In view of the increasingly pronounced national security risks faced by the HKSAR, especially in light of the escalating violence and social chaos since June last year, the enactment of the National Security Law by the Central Authorities is a timely, reasonable and rational decision.

"The National Security Law seeks to prevent, suppress and impose punishment for four types of acts and activities that seriously endanger national security. It targets only an extremely small minority of people without adversely affecting the basic rights and freedoms lawfully enjoyed by Hong Kong residents. It is a necessary, timely and important step to improve the 'One Country, Two Systems' regime. During the legislative process, HKSAR's practical situation was taken into account and the views of the HKSAR Government and of various sectors of the community were adopted. The National Security Law will not affect the high degree of autonomy, judicial independence and the rule of law in Hong Kong. We strongly believe only when national security is safeguarded can Hong Kong enjoy long-term stability and security.

"The special status as a separate customs territory enjoyed by the HKSAR under 'One Country, Two Systems' is conferred by the Constitution of the PRC and the Basic Law. They are recognised by multilateral organisations such as the World Trade Organization (WTO), but not granted or revocable by an individual country. On the other hand, the US has enjoyed huge benefit from the economic and trade exchanges between the two places. In the decade between 2010 and 2019, the US enjoyed a cumulative merchandise trade surplus of around US\$310 billion over Hong Kong. The merchandise trade surplus in 2019 alone was over US\$26 billion, the highest among the US's trading partners. At present there are 1 300 US companies operating a wide range of businesses in Hong Kong. They enjoy the same treatments as local companies in accessing the Mainland market. The American Chamber of Commerce in Hong Kong is the largest international chamber in Hong Kong. 85 000 US citizens call Hong Kong their home. It would be a self-deception if the US thinks that unilaterally introducing various measures that restrict normal business activities or people exchanges would not affect its own interests.

"The HKSAR Government will carefully consider if US's measures contravene WTO rules, and does not rule out the possibility of taking action under WTO rules to protect Hong Kong's interests. Moreover, we reiterate that any measures imposed under the Act and the executive order do not have any legal effect on Hong Kong financial institutions."