

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 (July 7):

Chief Executive: Ladies and gentlemen, the National Security Law came into effect on June 30. Since then, swift actions have been taken to implement this very important piece of legislation including, first, establishment of a Committee for Safeguarding National Security of the Hong Kong SAR, which held its first meeting yesterday. I was the Chair of this Committee. It was also attended by the National Security Adviser appointed by the Central Government, Mr Luo Huining.

We have established specialised enforcement and prosecution departments respectively in the Hong Kong Police Force and the Department of Justice. We have also appointed key personnel including the National Security Committee Secretary General, Mr K K Chan, and the Head of the Police National Security Department, Ms Edwina Lau, as well as the first batch of designated judges at the magistracy level in order to handle the first case of offence brought under the law. We made relevant Implementation Rules for the Police to use or to carry out the seven measures in Article 43 of the National Security Law yesterday, which take effect today. On the part of the Central Government, they have approved the setting up of the CPG office for safeguarding national security in the Hong Kong SAR headed by Mr Zheng Yanxiong and also the appointment of the National Security Adviser that I have just mentioned.

I want to reiterate that this is a very important piece of legislation and the Central Government has placed full trust and faith in the Hong Kong SAR. So the Hong Kong SAR Government will vigorously implement this law and I forewarn those radicals not to attempt to violate this law or crossing the red line because the consequences of breaching this law are very serious.

Now the law has been in effect for one full week. I would like to give a consolidated response and to clarify some misrepresentations or misperceptions. Let me first say that given this is a piece of national legislation, and the way that this legislation has been enacted is different from the process of local legislation. It is only understandable that the people in Hong Kong, they have some concerns, they have some queries about the content of this piece of legislation and also its implementation. We will do our utmost to explain to the people of Hong Kong what this law is all about. What this law is all about is very simple. It aims to prevent, curb and punish four types of acts and activities that will endanger national security of the country and also in Hong Kong. It only targets a very small minority of people who breach the law. At the same time, it will protect the

overwhelming majority of Hong Kong citizens in exercising their legitimate rights and freedoms. I'm pleased to say that in the last few days, I notice – you may dispute that – but I notice that there has been an increasing appreciation of the positive effect of this national security legislation, particularly in restoring stability in Hong Kong as reflected by some of the market sentiments in recent days. Surely this is not doom and gloom for Hong Kong. I'm sure with the passage of time and efforts and the facts being laid out, confidence will grow in "One Country, Two Systems" and in Hong Kong's future.

Let me try to respond to several areas of concerns or unfounded allegations. Allegation No. 1 is this law signifies the death of "One Country, Two Systems" or this very important principle is now being put in jeopardy. The answer from me is exactly the opposite. The National Security Law aims to affirm and improve the implementation of "One country, Two systems" by addressing risks of undermining national security, which is a matter within the purview of the Central Government. Enacting national security legislation to protect sovereignty, territorial integrity and unity is invariably the power and duty of the state in all countries. "One Country" is the foundation of "Two Systems", and this foundation will be seriously shaken if territorial integrity is being compromised and national security is put at risk. This is a red line which should be very familiar to many of us and it should not be crossed. Given the escalating national security risks that we have seen since June last year, and the inability of the Hong Kong SAR, not just the Government, but also the Legislative Council, to enact local legislation, the Central Government has to take resolute actions to safeguard the country's interest and to preserve "One Country, Two Systems". By the same token, in discharging the Central Government's responsibility over national security, the National Security Law provides for the setting up of a CPG office on national security in Hong Kong, and reserving for the Central Government jurisdiction to handle offences under very specified circumstances, and I believe these specified circumstances will be rare, and through a very clear approval mechanism. These are all legitimate acts of the Central Government to fulfil the "One Country" requirement under the principle of "One Country, Two Systems".

The second allegation is this piece of law is very draconian and it will undermine people's freedoms and spread fear amongst Hong Kong citizens. First of all, I have not seen a wide spread of fears amongst Hong Kong people in the last week. My response is, as some of the legal experts have commented in the past few days, this National Security Law is actually relatively mild as far as national security laws are concerned. First, its scope is very defined and confined. It only deals with four types of acts and activities endangering national security, and the offences are clearly defined in law. The legal principles that we attach a lot of importance to, like presumption of innocence and no retrospective effect and so on, are being upheld. The law respects and protects human rights as provided for under the Basic Law, and relevant provisions in the two international covenants as applied to Hong Kong. I would submit that instead of undermining people's freedom, the National Security Law will restore stability and help ensure the great majority of Hong Kong people could exercise their rights and freedoms,

without being intimidated or attacked. Instead of spreading fear, the law will actually remove fear and let Hong Kong people return to a normal, peaceful life. And Hong Kong will resume her status as one of the safest cities in the world.

Our respect and protection of human rights is also demonstrated in the making of those detailed Implementation Rules that we announced yesterday and took effect today. The rules were made by the Chief Executive together with the national security committee at its inaugural meeting yesterday, and they laid down very clear processes, prerequisites and authorisations before the Police in the National Security Department can resort to the measures and power under the Article 43 of the law.

Finally, the third allegation is any national security law should be enacted in Hong Kong by the Legislative Council (LegCo) and not drafted in secret in Beijing, even keeping the Hong Kong SARG and the Chief Executive in the dark. My response is, first, this is a piece of national law concerning matters outside of Hong Kong's high degree of autonomy – it's like defence and foreign affairs. Secondly, it is in line with Basic Law Article 18, which provides for the listing of national laws to Annex III and then to promulgate for implementation in the Hong Kong SAR. Third, I have to admit that by now it should be wishful thinking for us to expect LegCo in the current political climate to pass any national security law. Fourth, the NPC is the highest organ of power in the People's Republic of China, and has the authority to enact laws on national security, just like any other governments all over the world. And fifthly, the NPC Standing Committee in preparing the draft legislation under delegated authority has actually listened to views expressed by many people and has taken into account Hong Kong's actual situation. Specifically, the National People's Congress Standing Committee has listened to views of the Chief Executive, that is myself, and Hong Kong SAR Government key officials several times and taken on board our suggestions. Therefore it is much regretted that my comment made on June 23 in this forum in response to a media enquiry that the Hong Kong SARG has not seen complete details of the proposed legislation was misrepresented or deliberately exaggerated as Hong Kong SARG being totally kept in the dark. That is not the truth.

Finally, in the days ahead, I and my senior colleagues will continue to explain the provisions in the law and put in place effective enforcement mechanisms. We will also enhance publicity and school education to better Hong Kong people's understanding of this important piece of legislation so that they will not be misled. This afternoon, the Secretary for Justice and the Secretary for Security and their colleagues will attend Legislative Council joint panel meeting to answer any member's questions.

Reporter: Good morning, Mrs Lam. Telegram, Facebook and WhatsApp have said they won't co-operate with user data requests from Hong Kong as they don't trust the provisions in the Security Law. What is your message to them and how will the Police and courts co-operate without their co-operation? Second, the song "Glory to Hong Kong" includes the phrase your administration banned last week. It's at a protest, children are singing it. The Government has

acted on slogans and seditious books. Is the Government going to act and make that song illegal? And finally, on press freedom, the Police can now do warrant-less searches, seize devices and demand decryption. Of course, we might speak to wanted activists as part of the news. The Foreign Correspondents' Club has written multiple letters asking for a guarantee that all journalists will be allowed to report on any topic under this law and not be told to remove anything. Can you finally give the press a 100 per cent guarantee on that question today?

Chief Executive: If the Foreign Correspondents' Club or all reporters in Hong Kong can give me a 100 per cent guarantee that they will not commit any offences under this piece of national legislation, then I can do the same. It is not a question of me standing here to give you a guarantee of what you may or may not do in the days and weeks and years ahead. The law has clearly defined the four types of acts and activities which we need to prevent, curb and punish in accordance with the law. That's my response to the reporters. I hope you will be assured in the fundamental principles to this particular piece of legislation. Article 4, the respect and preservation of human rights, is one of the guiding principles, and I have just explained that even in the implementation details, they are designed and devised in order to protect and respect human rights. That includes all those human rights enshrined in the Basic Law and in the two international covenants on the human rights as applied to Hong Kong, including press freedom.

As I have accepted, with such an important piece of legislation, and this being a national law, the process of enacting this law was different from what we are familiar with, at this point in time, only one week after the law has taken effect, it is only understandable for people, especially some people who feel that they are more affected by this law than others, to have concerns and worries. That's why I said that we will do our utmost to explain the provisions in the law and to show to the people of Hong Kong how this law will be implemented. What we have done yesterday, the whole set of implementation details was devised with that objective in mind. Ultimately, time and facts will tell that this law will not undermine human rights and freedoms. This law will restore stability to Hong Kong. This law will ensure that this very important principle of "One Country, Two Systems" can continue and Hong Kong can enjoy long-term stability and prosperity.

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