

The Editor
Philstar.com
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Dear Editor,

I refer to the op-ed piece "China's national security law for Hong Kong" written by Mr Elfren S. Cruz, which was published on Philstar.com on 5 July 2020.

The Standing Committee of the National People's Congress (NPCSC) passed on 30 June 2020 a law on safeguarding national security in the Hong Kong Special Administrative Region (HKSAR) of the People's Republic of China (the Law). Safeguarding national sovereignty, security and development interests is the constitutional duty of the HKSAR and concerns every Hong Kong citizen.

Safeguarding national security by way of legislation is an international practice. It is apparent that every country has its own national security laws and relevant enforcement agencies. It is the fundamental duty of every responsible government to have such laws.

The HKSAR is an inalienable part of the People's Republic of China, and a local administrative region which enjoys a high degree of autonomy and comes directly under the Central People's Government. In view of the increasingly pronounced national security risks faced by the HKSAR, the enactment of a national security law at the state level is both necessary and urgent in order to plug the loophole in national security in Hong Kong. The Law is an important step to fully implement the Basic Law, strengthen implementation of the "One Country, Two Systems" principle, and restore stability in Hong Kong as soon as possible.

In concrete terms, the Law only targets an extremely small minority of offenders of four types of acts and activities that endanger national security, namely, secession, subversion of state power, organising and carrying out terrorist activities, and collusion with foreign or external forces to endanger national security. It is stipulated very clearly that the various rights and freedoms, including the freedoms of speech, of the press, of publication, of association, of assembly, of procession and of demonstration, which the HKSAR residents enjoy under the Basic Law and the provisions of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights as applied to Hong Kong, shall be protected in accordance with

the Law. It will not affect the legitimate rights and freedoms enjoyed by Hong Kong residents.

It also highlights that the HKSAR shall adhere to the important principles in line with the rule of law when protecting national security, including presumption of innocence, conviction and punishment according to law, and protection of the rights of the suspect in judicial proceedings, etc. It further addresses the concern raised about retrospective effect, i.e. the Law stipulates that it shall only apply to acts committed after its entry into force for the purpose of conviction and imposition of punishment. The rule of law and judicial independence are among the essential elements underlying Hong Kong's success. All these clear requirements should be able to allay concerns so far raised.

A safe society provides a favourable business and investment environment. Safeguarding national security and the rule of law in Hong Kong is the cornerstone to maintain "One Country, Two Systems", ensuring the long-term stability and safety of Hong Kong. The HKSAR Government is confident that with the implementation of the Law, the social unrest which has troubled Hong Kong people for nearly one year will be eased and stability will be restored, thereby enabling Hong Kong to start anew and focus our priorities on economic development and people's livelihood.

Yours sincerely,
Law Kin-wai
Director-General
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