

29 September, 2020

The Editor  
Lawyers Weekly  
Email: editor@lawyersweekly.com.au

Dear Editor,

I refer to the article "Lack of confidence in Hong Kong law justifies suspending treaties, LCA says" on 27 September on views expressed by the Law Council of Australia at a joint standing committee investigating the suspension of the extradition treaty and the mutual legal assistance treaty between Australia and Hong Kong.

The Hong Kong Special Administrative Region (HKSAR) Government will, as always, uphold the principle of mutual assistance and reciprocity, and carry out law enforcement co-operation with other members of the international community in accordance with the law. The HKSAR Government had previously expressed deep regret and disappointment over Australia's decision to suspend the agreement on surrender of fugitive offenders which allowed political agenda to override legal co-operation in criminal matters. The act in politicising juridical co-operation has seriously damaged the basis of juridical co-operation between the HKSAR and Australia.

The HKSAR is vested with independent judicial power, including that of final adjudication in accordance with the Basic Law. The National Security Law will not affect Hong Kong's high degree of autonomy, judicial independence and the rule of law. It also clearly stipulates that the HKSAR shall protect the rights and freedoms enjoyed by residents 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 in accordance with the law.

Yours sincerely,  
Raymond Fan  
Director  
(Representative to Australia and New Zealand)