

November 19, 2020

Financial Times

Dear Editor,

I write to respond to the flawed argument set out in your editorial “A creeping crackdown is under way in Hong Kong” (November 13, 2020).

The decision by the Standing Committee of the National People's Congress, the highest organ of state power in China, is constitutional, lawful and reasonable. It resolves the constitutional issue of a lacuna in the legislature of Hong Kong, where the Legislative Council (LegCo) Elections, originally due to have been held on September 6, 2020, had to be postponed for a year owing to the impact of the severe COVID-19 pandemic.

While the current-term LegCo continues discharging its duties, it would be illogical and arbitrary if people not qualified to contest in the election are allowed to continue to serve as LegCo members. Given that the four lawmakers had already been barred from running for re-election by Returning Officers in accordance with the law, on grounds that they were not genuinely upholding the Basic Law and honouring the pledge of allegiance to the Hong Kong Special Administrative Region, they were stripped of their LegCo seats with immediate effect.

Any criticism from foreign countries smacks of double standards. There can be no question of the Hong Kong Special Administrative Region (HKSAR) Government suppressing dissenting views. We remain an open, listening, responsive and accountable government. The rule of law and judicial independence remain intact and will remain so.

In the UK, Members of Parliament must take an oath of allegiance to the Crown before assuming office. In the US, Members of Congress are required to swear to support and defend the US constitution or face criminal charges. This is the international norm, no more and no less. No country will turn a blind eye to the breaching of oaths or acts that endanger national security by public officers including legislators.

It is regrettable that 15 lawmakers subsequently chose to resign from LegCo. For them to abandon their duties is an unwise and irresponsible act that serves the interests of no one.

The HKSAR Government is committed to fostering Hong Kong's continued growth and prosperity underpinned by the rule of law and the principle of "One Country, Two Systems", including our common law system and the quality, independence and impartiality of our Judiciary.

Yours sincerely,

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Chief Secretary for Administration
Hong Kong Special Administrative Region Government