

January 7, 2021

Letters Editor,  
The Guardian

Dear Editor,

Several articles published over the last few days, in particular your articles of Jan 6 “The arrest of Hong Kong activists is an assault on civil society” and Jan 7 “Hong Kong police release US lawyer arrested with democracy figures”, contain mistaken assumptions and misunderstandings. It is imperative that we put the arrests in perspective.

Attempts to paralyse the performance of government duties and functions should not be confused with political pluralism.

Hong Kong prides itself on the rule of law. Law enforcement agencies in Hong Kong are duty-bound to take action against unlawful acts, regardless of the political background of the suspects. Arrests made are based on evidence and are strictly in accordance with relevant laws and regulations.

As provided for in the Basic Law, the Department of Justice makes independent prosecutorial decisions based on evidence and applicable laws and in accordance with its Prosecution Code, free from any interference.

Any person who is prosecuted has the right to a fair trial by our independent courts, and the burden is on the prosecution to prove that the accused committed a crime beyond reasonable doubt before there can be a conviction.

The National Security Law, or indeed any law in Hong Kong, applies equally to every person in Hong Kong, irrespective of his political beliefs. The National Security Law also contains specific provisions upholding Hong Kong people’s rights and freedoms under the Basic Law as well as the relevant provisions of international covenants on human rights as applied to Hong Kong.

Yours sincerely,

Winky So  
Director-General  
Hong Kong Economic & Trade Office, London