

20 January, 2021

Editor
The Australian
Email: letters@theaustralian.com.au

Dear Editor,

I refer to your editorial entitled “Democracies back Hong Kong” published on 11 January 2021.

It is the Hong Kong Special Administrative Region (HKSAR)'s constitutional responsibilities to safeguard national security. Since the promulgation for the application of the Law of the People's Republic of China on Safeguarding National Security in the HKSAR (the National Security Law) in Hong Kong, the HKSAR Government has been discharging its duty to safeguard national security in Hong Kong lawfully and dutifully.

Taking people who have contravened the law to justice is the duty of every government, and where the offence concerns national security, the interests of the country and every citizen are at stake. This national obligation should be fully respected in the international arena.

Safeguarding national security through legislation is in line with international practice. The National Security Law fully and faithfully implements the principles of 'One Country, Two Systems', 'Hong Kong people administering Hong Kong' and a high degree of autonomy. It clearly stipulates four types of offences endangering national security and the penalties. At the same time, it contains specific provisions upholding Hong Kong people's rights and freedoms under the Basic Law of the HKSAR as well as the relevant provisions of international covenants on human rights as applied to Hong Kong. The National Security Law also provides for the presumption of innocence, the prohibition of double jeopardy, and the right to defend oneself and other rights in judicial proceedings that a criminal suspect, defendant and other parties in judicial proceedings are entitled to under the law. These important features have put the National Security Law on par with, if not superior to, similar national security laws in other jurisdictions.

Hong Kong is and will remain a safe, open, vibrant and international city underpinned by the strong tradition of the rule of law and judicial independence.

Yours sincerely,
Winnie Chan
Director
(Representative to Australia and New Zealand)