

Hong Kong's Legal System Continues in Full Substance

The promise of continuity in the laws and legal system in Hong Kong after the reunification had been honoured, not just in form, but in full substance, the Secretary for Justice, Mr Wong Yan Lung, SC, said in Washington, D.C. today (September 13, Washington time).

Speaking at a luncheon meeting of the Brookings Institution, Mr Wong said Hong Kong remained a common law jurisdiction, and the two branches of the legal profession remained strong and independent.

As to the Judiciary, Mr Wong said judicial appointments were made on the basis of recommendations by an independent Commission, and on the basis of the judges' judicial and professional qualities.

Mr Wong said judicial independence was cardinal to the rule of law and the protection of rights and freedoms.

"Here, in Hong Kong, we are very proud not only of our courts' independence but also their competence," he noted.

In regards to the cooperative relationship between the HKSARG and foreign jurisdictions, Mr Wong noted Hong Kong's tradition of providing reciprocal juridical assistance in areas such as the extradition of fugitives and mutual legal assistance in criminal matters.

In an area of particular interest to the attendees, Mr Wong reported on Hong Kong's post-9-11 efforts to enhance anti-terrorism measures, including the enactment of legislation to give effect to U.N. Security Council Resolution 1373 and the Financial Action Task Force's Special Recommendations on Terrorist Financing.

The measures empower the HKSARG to take action against terrorist activities, such as freezing terrorist assets, prohibiting the supply of weapons, reporting suspicious financial transactions, as well as enabling law enforcement agencies to provide relevant intelligence to overseas agencies.

Mr Wong took the opportunity to give an account of the HKSARG's efforts to protect human rights, as well as to address such contentious issues as interpretations of the Basic Law by the Standing Committee of the National People's Congress and constitutional development.

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