

SJ on surrender of fugitives and ICAC cases

Following is the transcript of remarks by the Secretary for Justice, Mr Rimsky Yuen, SC, today (March 31) after attending the Finance Committee special meeting in the Legislative Council (LegCo):

Reporter: How is the extradition thing with Macau progressing now and how long will it take before we can have some kind of treaty or agreement with them? And secondly can I ask you about the Donald Tsang and Timothy Tong cases? Why did it take so long to bring it to prosecution or deciding what to do with it?

Secretary for Justice: Maybe I'll recap what I have said in Cantonese just now very briefly in English. In so far as the surrender of fugitives, perhaps if I may clarify the word "extradition" is not most appropriate in the context between Hong Kong and Macau. In the context of mutual legal assistance in the criminal context, including the surrender of fugitives, we have been working on it. And in fact recently there have been working conferences between working levels of Hong Kong and Macau's Department of Justice. We hope we can finish the documents on the arrangement as soon as possible. The normal working procedure would be for Hong Kong and Macau to agree on the agreement setting out the arrangement. And then, based on that agreement, we would respectively embark upon our legislative process, which means in the case of Hong Kong, as in the other situations where we deal with return or surrender of fugitives, we would come to LegCo to work on the legislative progress.

In relation to your second question, that is the case concerning ICAC's investigation of Mr Donald Tsang and Mr Timothy Tong, as I was saying at the meeting just now, the investigations are being carried out by ICAC. The responsibility of the Department of Justice is to provide legal advice from time to time or as and when requested by

ICAC. The matter is still currently under investigation and therefore, as in other cases, I am not at liberty to disclose or divulge the details. But I can assure everyone that there is no political interference, nor would the Department of Justice take into account any political consideration. In fact, we will strictly follow our discharge of constitutional duty under Basic Law Article 63 to deal with the situation strictly in accordance with law, strictly in accordance with our Prosecution Code and not to take into account any unnecessary or undue influence.

(Please also refer to the Chinese portion of the transcript.)

Ends/Monday, March 31, 2014