

Secretary for Justice will not participate in joint signature campaign

A spokesman for the Department of Justice (DoJ) said today (July 21) that the Secretary for Justice (SJ)'s Office had recently received certain letters asking the SJ to participate in a joint signature campaign organised by a group of legal practitioners in Hong Kong to give support to the arrested human rights lawyers in the Mainland. In addition, the SJ's Office also noted the comment that the SJ had participated in a signature campaign organised by members of the community in May this year, and hence questioned why the SJ would not join this joint signature campaign. Below is a consolidated response from the SJ's Office:

First, Article 2 of the Basic Law stipulates that the National People's Congress authorises the Hong Kong Special Administrative Region (HKSAR) to exercise a high degree of autonomy and enjoy executive, legislative and independent judicial power, including that of final adjudication, in accordance with the provisions of the Basic Law. The above powers are exercised by the HKSAR Government, the legislature and the judiciary respectively. The powers of the HKSAR Government officials (including the SJ and other officials) are therefore also derived from the Basic Law. Their duties and powers are therefore confined to matters within the autonomy of the HKSAR. Officials of the HKSAR Government should not act beyond their authority and intervene in matters beyond the jurisdiction of the HKSAR (including Mainland affairs).

Second, under the principle of "one country, two systems", the HKSAR and Mainland officials should have mutual respect to each other's systems, and handle their own affairs within their respective purview. While Hong Kong citizens do not want Mainland officials to intervene in the affairs which are within the autonomy of the HKSAR, officials of the HKSAR Government likewise should not intervene in matters that are

exclusively within the purview of the Mainland authorities; failure to do so will not be conducive to the sustainable and healthy development of the "one country, two systems" principle.

Third, by participating in the signature campaign in May this year, the SJ aimed to show his support to the implementation of the universal suffrage of the Chief Executive. Being a member of the three-member Task Force on Constitutional Development, the participation of the SJ in that signature campaign was fully consistent with his official duties and roles. The most important point is that, the signature campaign in May this year did not involve any comments on, or intervention in, the internal affairs of the Mainland, which makes it fundamentally different from the nature of the joint signature campaign to support the arrested lawyers in the Mainland. The two events should not be conveniently mixed up simply because both of them are signature campaigns.

Due to the above reasons, the SJ will maintain his decision not to participate in the joint signature petition.

Ends/Tuesday, July 21, 2015