

SJ welcomes passage of Decision on improving electoral system of HKSAR by NPC

The National People's Congress (NPC) today (March 11) passed the Decision on improving the electoral system of the Hong Kong Special Administrative Region (HKSAR). The Secretary for Justice, Ms Teresa Cheng, SC, issued the following statement:

The Decision is welcomed and I agree that only through "patriots administering Hong Kong" could the "one country, two systems" principle be fully implemented, thereby ensuring the prosperity and stability of Hong Kong and safeguarding the sovereignty, security and development interests of the country.

Over the past few years, there have been people disseminating the idea of disobeying the laws, spreading anti-China sentiments to disrupt Hong Kong and advocating openly for "Hong Kong independence". Certain radical separatist forces even entered the HKSAR's governance framework through different elections, and in doing so exposed the clear loopholes of the existing electoral system in Hong Kong. As there will be a number of elections in the coming 12 months, there is a pressing need for the Central Authorities to take the lead to take measures in dealing with the relevant matters.

China is a unitary state. According to the constitutional structure of China, power comes from the Central Authorities. The HKSAR enjoys a high degree of autonomy. However, some matters including the constitutional order in relation to the HKSAR are still within the purview of the Central Authorities. It is constitutional and legal for the NPC to adopt a "Decision plus amendment" approach in accordance with the Constitution, the Basic Law, the Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region and other relevant legal instruments to improve the electoral system of the HKSAR.

I will continue to provide explanations to the community on the legal basis of the "Decision plus amendment" approach. The Department of Justice is committed to rendering full support to the Government in completing the legislative amendments and making necessary arrangements for the elections in the coming 12 months with a view to implementing the Decision on improving the HKSAR's electoral system at the earliest possible juncture.

Ends/Thursday, March 11, 2021