

HKSARG condemns misleading and slanderous remarks from various organisations and media overseas regarding Lai Chee-ying cases

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The Government of the Hong Kong Special Administrative Region (HKSAR) today (September 26) strongly condemned and opposed the misleading and slanderous remarks by various overseas organisations and media against the law enforcement actions and legal proceedings in respect of the cases involving Lai Chee-ying, which constitute blatant political interference in the internal affairs of the HKSAR and the independent exercise of judicial power by the courts of the HKSAR.

A spokesman for the HKSAR Government said, "Hong Kong residents enjoy the fundamental rights and freedoms guaranteed under the Basic Law and the Hong Kong Bill of Rights Ordinance. The Hong Kong National Security Law (NSL) clearly stipulates that human rights shall be respected and protected in safeguarding national security in the HKSAR and the rights and freedoms that Hong Kong residents enjoy under the Basic Law, and the provisions of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights as applied to Hong Kong, including the freedom of speech, of the press, of publication, of association and of assembly, shall be protected in accordance with the law. However, such rights and freedoms are not absolute. The exercise of such rights may be subject to restrictions that are provided by law and are necessary for pursuing legitimate aims such as the protection of national security or public order. Journalists, like everyone else, have an obligation to abide by all the laws."

The spokesman stressed that, "Under Article 85 of the Basic Law, the courts of the HKSAR shall exercise judicial power independently, free from any interference. For all the cases involving Lai, he had fully exercised his right to defend himself and the right to appeal, and the verdicts and sentences (if any) were given by the courts exercising judicial power independently, based on applicable laws, facts and evidence after open trials and hearings. Also, the detailed reasons for sentence are contained in the publicly available judgment. Any suggestion that the charges were 'spurious' or the conviction 'unjust' is an utter disrespect to the due administration of justice. The HKSAR Government strongly urges the overseas entities concerned to stop interfering in the independent exercise of judicial power in, and the internal affairs of, the HKSAR."

The HKSAR law enforcement agencies have been taking law enforcement actions

based on evidence and strictly in accordance with the law in respect of the acts of the persons or entities concerned. The Department of Justice of the HKSAR is in charge of criminal prosecutions under Article 63 of the Basic Law, with all prosecution decisions made based on an objective analysis of all admissible evidence and applicable laws. Hence, any suggestion that the cases were tied with political considerations is totally absurd and inappropriate.

"The suggestion that persons or organisations with certain backgrounds should be immune from legal sanctions for their illegal acts and activities is tantamount to granting such persons or organisations privileges to break the law and is totally contrary to the spirit of the rule of law," the spokesman added.

Any attempt by any country, organisation, or individual to interfere with the judicial proceedings in the HKSAR by means of political power, in order to procure a defendant's evasion of the criminal justice process, is a blatant act undermining the rule of law of Hong Kong. Doing any act or making any statement with the intent to interfere with or obstruct the course of justice, or engaging in conduct with the same intent, is very likely to constitute the offence of criminal contempt of court or the offence of perverting the course of justice. Anyone who requests a foreign country to impose "sanctions" against the HKSAR or the People's Republic of China also commits the offence of collusion with a foreign country or with external elements to endanger national security, contrary to Article 29 of the NSL.

"The HKSAR Government despises the calls by the entities concerned for the so-called 'sanctions' and shall never be intimidated. We will continue to resolutely discharge the responsibility of safeguarding national security in accordance with the law. We strongly urge the relevant countries where the calls were addressed to observe the international law and basic norms of international relations and refrain from interfering in Hong Kong matters, which are purely China's internal affairs."

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