

May 30, 2019

By e-mail

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Rick Nelson  
Editorial Page Editor  
The Post and Courier  
134 Columbus Street  
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Sir,

I write in response to your editorial “Dark cloud settles over Hong Kong” of May 28 which may suggest some misunderstanding of the Hong Kong government’s proposed amendments to current extradition laws. Contrary to your editorial, the amendments seek to enable Hong Kong to effectively combat serious crimes by filling the legal vacuum in our existing mechanism for surrendering fugitive offenders.

The amendments will not change our established long-term arrangements with 20 jurisdictions, including the United States, for surrendering fugitive offenders and are in line with international standards and practice. Our fiercely independent judiciary will perform its gatekeeping role in scrutinizing each surrender request. The proposal retains existing human rights and procedural safeguards.

On May 30, the Hong Kong government announced new measures which aim to alleviate the community’s concerns. The government proposed to increase the threshold for allowing extraditions for crimes punishable with imprisonment for more than three years to those subject to imprisonment for seven years or more, effectively confining the scope of extraditable crimes to those that are heinous and most serious. In addition, there will be further human rights safeguards to ensure the rights of surrendered persons such as right to lawyers and open trial.

The impartiality and apolitical nature of Hong Kong courts is beyond doubt. Our independent judicial power, including that of final adjudication, is fully practiced and globally respected. The Hong Kong government will continue to uphold the rule of law, the cornerstone of Hong Kong’s success, and to provide a safe and open business friendly environment for investors.

Sincerely,

Eddie Mak  
Hong Kong Commissioner, USA