

June 9, 2023

The Editor
The Wall Street Journal

Dear Editor,

The Government of the Hong Kong Special Administrative Region (HKSAR) strongly opposes the myriad of misleading and slanderous remarks in your editorial “The Long Reach of Hong Kong Tyranny” (June 7) on the legal and enforcement actions taken by the Department of Justice (DoJ) and Hong Kong law enforcement agencies.

We take exception to your piece’s biased reporting about the DoJ’s application to the court for an injunction to prohibit unlawful acts relating to the song “Glory to Hong Kong”. The song has been widely circulated since 2019, with its lyrics containing a slogan ruled by the court as constituting secession. It has also been mistakenly presented as the “national anthem of Hong Kong” repeatedly. This has not only insulted the national anthem, but also caused serious damage to our country and the HKSAR. Indeed, past events have shown that it is highly likely that the song will continue to be widely disseminated contrary to the Hong Kong National Security Law (NSL) and the Crimes Ordinance, etc.

It is the constitutional responsibility of the HKSAR Government to safeguard national security by effectively preventing, suppressing and imposing punishment for acts or activities endangering national security. After careful consideration, the HKSAR Government has decided to apply to the court for the injunction.

Furthermore, we strongly disapprove of your editorial’s deliberate disregard for, if not twist of, facts when it comes to enforcement actions in Hong Kong. As a society underpinned by the rule of law, Hong Kong has always adhered to the principle that laws must be obeyed and lawbreakers be held accountable. All law enforcement actions taken by Hong Kong law enforcement agencies are based on evidence, strictly according to the law, and for the acts of the people or organisations concerned. Such actions have nothing to do with their political stance or background.

It cannot be stressed enough, in particular, that the NSL clearly stipulates all elements of four categories of offences endangering national security. The same standard of proof applies to the offences under the NSL just like any other criminal offences. Indeed, similar provisions are commonly found under the national security laws in foreign jurisdictions. So long as people strictly observe the NSL, or indeed any law in Hong Kong, they will not unwittingly violate the law.

It should also be noted that extraterritoriality is a common feature of national security laws in many countries. The extraterritorial effect provided for in the NSL aligns with the principles of international law and international practice. Any criticism levied against the application of extraterritoriality on the NSL is clearly tainted with double standards.

The HKSAR Government steadfastly safeguards national sovereignty, security and development interests. In accordance with the law, it will continue to resolutely carry out its duties and obligations to safeguard national security and, at the same time, protect the rights and freedoms that Hong Kong residents enjoy, ensuring the steadfast and successful implementation of the “one country, two systems” principle.

Chan Kwok-ki
Chief Secretary for Administration
The Government of the Hong Kong Special Administrative Region