

September 5, 2024

The Editor
Washington Post

Dear Editor,

We strongly oppose your scaremongering opinion piece "Hong Kong sedition verdict threatens more than just press freedom" (September 3).

Under "one country, two systems", Hong Kong exercises a high degree of autonomy. The Basic Law guarantees the continuation of the common law system in Hong Kong. The courts exercise judicial power independently, free from any interference. All judges abide by the Judicial Oath and administer justice in full accordance with the law, without fear or favour, self-interest or deceit. All defendants charged with a criminal offence shall have the right to a fair trial.

I must also reiterate again that Hong Kong citizens enjoy freedom of the press and of speech as protected under Basic Law and Hong Kong Bill of Rights. Like in all other places, such rights and freedoms are not absolute. International Covenant on Civil and Political Rights stipulates that media and relevant personnel must observe and discharge "special duties and responsibilities", including protecting national security. No responsible government would tolerate dissemination of disinformation, incitement of hatred and glorification of violence.

Precedents from the European Court of Human Rights also point out that journalists must act in good faith and on accurate factual basis and provide reliable and precise information in accordance with the tenets of "responsible journalism".

Regarding the "Stand News" case, the court has meticulously analysed each of the articles involved in the reasons for verdict with detailed justifications on why 11 of the articles were proven to have seditious intentions, while there was insufficient evidence to prove the case in respect of the other six. The reasons for verdict also pointed out clearly that the ideology of Stand News was localism which excluded China, and that it even became a tool to smear and vilify the Government. Relevant articles, without any objective basis, attacked the National Security Law and relevant enforcement and prosecutorial process; spread hatred and anti-government sentiment with disinformation; attacked enforcement by the Police and glorified the behaviour of rioters.

Extraterritorial effect for the offences endangering national security under the Safeguarding National Security Ordinance fully aligns with the principles of international law, international practice and common practice adopted in

various jurisdictions. It is both necessary and legitimate.

The public, including journalists, commentators, and columnists, as always, enjoy and exercise freedoms of the press and of speech in accordance with the law, without fear of unwittingly violating the law and should not be misled by alarmist claims from external forces.

Michael Cheuk Hau-yip

Acting Secretary for Security

The Government of the Hong Kong Special Administrative Region