

4 May 2021

The Editor  
The Daily Telegraph  
(By email)

Dear Editor,

Your online article “Hong Kong passes immigration law with ‘exit ban’ powers raising fears for activists and journalists” (April 29) is farthest from the truth and smacks of fearmongering. I write to provide the facts about the Immigration (Amendment) Bill 2020 (the Bill) to set the record right.

First, our constitutional document, the Basic Law, guarantees Hong Kong residents the right to travel and to leave and enter Hong Kong. The Bill does NOT impinge on that right.

Second, the Bill specifically aims to stop potential illegal immigrants and persons who were refused permission to land in Hong Kong from entering our city, to expedite the handling of non-refoulement claims and to prevent delaying tactics by some claimants.

Third, apart from helping to stop at source the rising number of non-refoulement claimants in Hong Kong, Section 6A of the Bill also provides the legal basis to implement the Advanced Passenger Information (API) system which the International Civil Aviation Organization (ICAO) had in 2018 directed its members to put in place to enhance international civil aviation safety. More than 90 ICAO members have already implemented the API, including EU Member States, Canada and the United States.

Our Secretary for Security had also put on public records that the regulations to be made for the implementation of the Bill would clearly set out that they apply only to carriers, passengers and crew heading to Hong Kong. It is wildly inaccurate to suggest that “the city’s immigration chief will be given sweeping powers to block people from boarding flights to and from Hong Kong”.

The article also suggests that Hong Kong’s unique way of life has disappeared because of the national security law. This is not the case. The National Security Law targets universally unacceptable acts that undermine sovereignty and national security - secession, subversion, terrorism and collusion with foreign forces to endanger national security. The rights and freedoms enjoyed by residents 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 shall continue to be protected in accordance with the law.

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