

July 26, 2021

Dear Editor,
The Independent

I refer to the article “Hong Kong sees another exodus of pro-democracy politicians as the government’s crackdown intensifies” published on July 22, 2021. The piece, regrettably, contains a number of false accusations about the Hong Kong Special Administrative Region (HKSAR) Government.

It is plainly wrong to suggest that the oath-taking requirement imposed on district councilors is “part of Hong Kong government’s plan to force out hundreds of pro-democracy district councilors in the city”. Swearing allegiance to the system of the country and upholding laws of the state is an international norm for public officers and any breach of the oath will not be tolerated. In the UK, Members of Parliament who refuse to take an oath or make an affirmation of allegiance to the Crown cannot assume office.

In accordance with the prevailing District Councils Ordinance (Cap.547) in Hong Kong, a person is not validly nominated as a candidate for the District Councils (DC) election unless he or she, as part of the statutory nomination procedure, makes a declaration in the nomination form to the effect that he or she will uphold the Basic Law (BL), the constitutional document, and pledge allegiance to the HKSAR. Furthermore, Article 6 of the National Security Law (NSL) stipulates that a resident of the HKSAR who stands for election or assumes public office shall confirm in writing or take an oath to uphold the BL and swear allegiance to the HKSAR in accordance with the law. The requirement is meant to uphold the constitutional order of the HKSAR and to ensure the smooth and continuous implementation of the principle of “One Country, Two Systems”.

No one is above the law in Hong Kong. Every individual should respect the laws of Hong Kong and take responsibilities, including legal liabilities, for his or her action. The accusation that the HKSAR government “has been determined to ‘seek-revenge’ on pro-democracy figures” is simply false. Any law enforcement actions taken by Hong Kong law enforcement agencies are based on evidence, strictly according to the law, for the acts of the person concerned.

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