

May 8, 2023

The Editor
The Washington Post

Dear Editor,

We are appalled by the myriad of fact-twisting and fabricated remarks in your editorial “Beijing is destroying the last vestiges of democracy in Hong Kong” (May 7) to smear not just the reform proposed recently by the Government of the Hong Kong Special Administrative Region (HKSAR) in relation to the District Councils (DCs) in Hong Kong, but also – under the guise of “commenting” on the reform – other aspects of the city including the implementation of the Hong Kong National Security Law (NSL) and upholding of the rule of law. Your piece amounts to, in your own words, a “farce” that grossly misleads readers about the situation in Hong Kong.

Your fallacious or even fictional comments on the proposed DC reform, particularly your suggestion that DCs are an “avenue” for “Hong Kongers to be able to voice their political preferences and disaffection”, reflect your serious misunderstanding, if not ignorance, about the positioning of DCs.

DCs belong to “district organisations which are not organs of political power” pursuant to Article 97 of the Basic Law. They are district advisory bodies. However, the current-term DCs saw a large number of elected members acting with no regard to the functions of DCs. Some even went against and beyond the statutory positioning of DCs. Your editorial has deliberately avoided bringing all such chaos to light.

The outrageous acts of the aforesaid DC members ranged from ignoring people’s livelihood, interfering with and obstructing government administration to indulging in politicking. Some members even endangered national security by objecting to the NSL, supporting the black-clad violence and even advocating so-called “Hong Kong independence”. The members’ unsuitability for elected office was further demonstrated by the fact that when they were required to prove their loyalty by committing to upholding the Basic Law and swearing allegiance to the HKSAR, many resigned.

With DCs being an integral part of district governance, it is imperative to get them back on the right track through compliance with three core

principles, namely to accord top priority to national security, to fully implement the principle of “patriots administering Hong Kong”, and to fully practise executive-led governance.

The proposed DC reform principally aims to depoliticise DCs such that they will revert to their rightful positioning under Article 97 of the Basic Law. Multiple methods, together with an eligibility review mechanism, will be provided for the formation of DCs, so that only people who are patriotic, have an affection for Hong Kong and are dedicated to district services can participate in DCs’ work through various channels.

Your editorial has also tainted the current Legislative Council (LegCo), whose members were returned through an improved electoral system, as a “rubber stamp”, but nothing could be further from the truth. The improved electoral system manifests the broad representation, political inclusiveness and balanced participation in the LegCo, enabling a spectrum of different voices in the legislature that steadfastly upholds the overall interests of Hong Kong. Since assuming office of the new term in January 2022, the LegCo has restored its constitutional function for rational interaction between the executive authorities and the legislature.

It is equally displeasing for your editorial to carry distorted and unfounded descriptions about the NSL, rule of law and administration of justice in Hong Kong.

All law enforcement actions taken by the HKSAR law enforcement agencies under the NSL, or indeed any local law, are based on evidence and strictly in accordance with the law in respect of the acts of the persons or entities concerned, and have nothing to do with their political stance, background or occupation.

Independent prosecutorial decisions for each case are made in a rigorous and objective manner, strictly based on evidence, and applicable laws and are in accordance with the Prosecution Code. In all criminal trials, the prosecution has to prove beyond reasonable doubt before the defendant can be convicted, and the defendant has the right to appeal under the law.

As guaranteed by the Basic Law and the Hong Kong Bill of Rights, defendants charged with criminal offences shall have the right to a fair trial by the Judiciary; and Article 85 of the Basic Law clearly stipulates that the courts of the HKSAR shall exercise judicial power independently, free from any interference.

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.

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Chief Secretary for Administration

The Government of the Hong Kong Special Administrative Region