

Hong Kong: Safeguarding China's National Security Under the Framework of One Country, Two Systems

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Preface

Security is the prerequisite for a country's survival and development, the foundation of social stability, and the safeguard of people's wellbeing. Ensuring national security is a top priority. To maintain national unity and territorial integrity and ensure long-term prosperity and stability in Hong Kong, the Chinese government proposed the policy of One Country, Two Systems and undertook a series of resolute struggles, ultimately resuming the exercise of sovereignty over Hong Kong on July 1, 1997.

Since its return to China, the goal of the central government and the Hong Kong Special Administrative Region (HKSAR) has always been to develop a stable and prosperous Hong Kong, but our effort has been obstructed and undermined by anti-China agitators in Hong Kong and hostile external forces, who have employed all possible means in their attempt to turn Hong Kong into an independent or semi-independent political entity, severely challenging the One Country, Two Systems principle. The struggle to safeguard national security in Hong Kong is persistent. The central government bears the fundamental responsibility for affairs concerning national security in the HKSAR, while the HKSAR shoulders the constitutional responsibility for safeguarding national security. The central government fully supports the HKSAR as it forges ahead amid various risks and challenges.

In the new era, the Central Committee of the Communist Party of China with Xi Jinping at its core has fully, faithfully, and resolutely implemented the policy of One Country, Two Systems, emphasizing that its highest principle is to safeguard national sovereignty, security, and development interests. In response to the turbulent and changing circumstances in Hong Kong, the central government has applied a holistic approach to national security, and effectively exercised overall jurisdiction over the HKSAR in accordance with the Constitution of the People's Republic of China and the Basic Law of the Hong Kong Special Administrative Region. It has enacted the Law on Safeguarding National Security in the Hong Kong Special Administrative Region – which has been enforced in the region – and ensured that Hong Kong is administered by patriots. With support of the central government, the HKSAR fulfills its constitutional responsibility to safeguard national security by effectively preventing, halting, and punishing any activities that endanger national security in the region. Order has been restored in Hong Kong. With sound governance, the city has entered a new stage, advancing towards prosperity and showing signs of an even brighter future.

Maintaining national security in Hong Kong is to uphold the One Country, Two Systems policy, safeguard national sovereignty, security, and development interests, and ensure Hong Kong's long-term prosperity and stability. Ultimately, it serves the interests of the nation, Hong Kong and its residents. Practice has proven that security is not an inhibition, but rather a safeguard and a booster. With security, the One Country, Two Systems policy has been upheld and improved, fully showcasing its vitality and strength. Hong Kong continues to develop in a more vibrant and dynamic way, effectively ensuring the wellbeing of its 7.5 million residents and the interests of international investors.

The Chinese government is publishing this white paper to review Hong Kong's endeavors in safeguarding national security and the experience and insights gained in the process, and also to clear up confusion and misunderstandings surrounding the issue to build consensus, and to ensure the high-quality development of the policy of One Country, Two Systems with high-standard security.

I. An Unrelenting Fight for Safeguarding National Security in Hong Kong

After the Opium War of 1840, Hong Kong was forcibly separated from the motherland. From that point forward, the Chinese people, including their compatriots in Hong Kong, never ceased their fight for the country to resume the exercise of sovereignty over the region. The fundamental conditions for this to become a reality came in 1949, with the founding of the People's Republic of China (PRC). Then, following the launch of the reform and opening-up initiative in 1978, the Chinese government – from conceiving the scientific proposal of One Country, Two Systems to its full implementation as a policy – has been consistent and resolute in safeguarding China's sovereignty, security, and development interests and ensuring sustained prosperity and stability in Hong Kong.

1. The Chinese Government's Resolute Stance on Safeguarding China's National Sovereignty, Security, and Development Interests

The Communist Party of China has always approached the Hong Kong question from an overall and strategic perspective, and the three unequal treaties¹ imposed on China by the United Kingdom have never been recognized as valid by the government of the PRC.

In March 1972, in a letter to the UN's Special Committee on Decolonization, China stated that "the settlement of the questions of Hong Kong and Macao is entirely within China's sovereign right and does not at all fall under the ordinary category of 'colonial territories'." Through the efforts of the Chinese government, later that year in November, the United Nations General Assembly adopted Resolution 2908, which removed Hong Kong and Macao from the list of colonial territories covered by the Declaration on the Granting of Independence to Colonial Countries and Peoples.

To realize peaceful national reunification, in the early 1980s, the Chinese government proposed the unique policy of One Country, Two Systems and applied it in addressing the Hong Kong question. During negotiations with the British government, the Chinese government emphasized the following: The PRC holds the sovereignty of Hong Kong; the question of sovereignty was not open to discussion, with no room for compromise on the matter; and troops should be stationed in Hong Kong as a demonstration of China's sovereignty over the region, and to safeguard national security and prevent disturbances. Should events endangering the fundamental interests of Hong Kong and the country arise within the special administrative region, the central government would have no choice but to intervene.

The protracted negotiations with the UK eventually led to the signing of the Sino-British Joint Declaration by the Chinese and British governments in December 1984. The declaration confirmed that the government of the PRC would resume the exercise of sovereignty over Hong Kong effective July 1, 1997 and the British government would return Hong Kong to China on the same day. The document also outlined the steps to be taken during the transitional period prior to the return date.

During the transitional period, the Chinese government formulated the Basic Law of the Hong Kong Special Administrative Region in accordance with China's Constitution, and took resolute, justifiable, yet restrained measures to combat acts violating the Basic Law and endangering national security, for the benefit of Hong Kong. It stood firmly against the "electoral reform" rolled out with ulterior motives, established the governance structure for the HKSAR in strict accordance with the Constitution and the Basic Law, and advanced the preparatory work for establishing the HKSAR in an orderly manner.

On July 1, 1997, the Chinese government resumed the exercise of sovereignty over Hong Kong, and the HKSAR was established. Through resolute actions, the Chinese government provided security guarantees for the implementation of One Country, Two Systems in Hong Kong.

2. The Protracted Fight Around the Local Legislation on National Security Required by Article 23 of the Basic Law

After its return, as a local administrative region of China, Hong Kong is obliged to honor and uphold the country's fundamental systems and take effective measures to safeguard China's national security. The Constitution and the Basic Law provide clear constitutional arrangements in this regard.

Specifically, Article 23 of the Basic Law stipulates that "the Hong Kong Special Administrative Region shall enact laws on its own to prohibit any act of treason, secession, sedition, subversion against the central people's government, or theft of state secrets, to prohibit foreign political organizations or bodies from conducting political activities in the region, and to prohibit political organizations or bodies of the region from establishing ties with foreign political organizations or bodies." The legislation under Article 23 of the Basic Law is a special arrangement under the policy of One Country, Two Systems, reflecting the central authorities' trust in the HKSAR and stipulating that the region should fulfill its constitutional responsibility for safeguarding China's national security through local legislation.

However, internal and external complications stalled legislation under Article 23 of the Basic Law for an extended period after 1997. In September 2002, the HKSAR government started the legislative process required by Article 23 of the Basic Law. Anti-China agitators in Hong Kong and hostile external forces had long feared and opposed the legislation, regarding it as an obstacle to their seditious activities. To obstruct the legislative process, they attempted various subversive schemes, exploiting some residents' dissatisfaction with issues in economic and social development and the adverse impact of the onslaught of the SARS epidemic. They went to great lengths to swing sentiment and made false claims that the legislation under Article 23 violated human rights and freedoms, creating panic among the public.

On July 1, 2003, marches opposing the legislation broke out in Hong Kong. Anti-China agitators seized the opportunity to pressure the HKSAR government. Some Legislative Council members who had originally supported the legislation had a change of heart and asked for a postponement, adding to the complexity surrounding the proposed legislation. In September 2003, the HKSAR government withdrew the draft of the Article 23 legislation, effectively postponing its enactment. Backed by hostile external forces, anti-China agitators spared no efforts in stigmatizing and demonizing the legislation, turning it into a taboo subject that haunted Hong Kong society.

¹ The three unequal treaties are the Treaty of Nanking, the Beijing Convention, and the Convention Between Great Britain and China Respecting an Extension of Hong Kong Territory. On August 29, 1842, Britain forced the Qing government to sign the Treaty of Nanking, the first of the unequal treaties in China's modern history, which ceded Hong Kong Island to Britain. On October 24, 1860, Britain forced the Qing government to sign the Beijing Convention which ceded to the UK the part of Kowloon Peninsula south of present-day Boundary Street. On June 9, 1898, Britain again forced the Qing government to sign the Convention Between Great Britain and China Respecting an Extension of Hong Kong Territory, by which the New Territories were leased to Britain for 99 years. As a result, Britain occupied the entire area that is now known as Hong Kong.

This delay in completing the legislation required by Article 23 of the Basic Law left significant loopholes in the region's system of laws on national security and resulted in serious deficiencies in institutional setup, staffing, and law enforcement mechanisms, rendering Hong Kong almost defenseless in terms of national security. Seizing this opportunity, agitators and external anti-China forces intensified their sabotage and openly challenged the One Country, Two Systems principle. Exploiting loopholes in the electoral and deliberative platforms, they ramped up their efforts to reject the constitutional order, undermine Hong Kong's prosperity and stability, and sabotage national security under the guise of defending democracy, freedom, and human rights.

In 2012, the agitators smeared the national education initiative promoted by the HKSAR government as "brainwashing" and incited demonstrations, assemblies, joint signature campaigns, and student strikes that ultimately forced the government to shelve the national education guidelines. In 2014, they launched the illegal Occupy Central movement – a 79-day campaign that disrupted the operation of the HKSAR government, blocked the major roads in Central and Admiralty, and delayed emergency medical treatment – which severely undermined the rule of law, disrupted public order, hit the local economy hard, and plunged daily lives into chaos.

In 2015, anti-China agitators in the Legislative Council voted down the bill of the HKSAR government on the methods for electing the HKSAR chief executive for 2017, impeding the implementation of the August 31 Decision of the Standing Committee of the National People's Congress (NPC) on the election of the chief executive by universal suffrage and the method for forming the Legislative Council of the HKSAR in the year 2016. In February 2016, during normal law enforcement actions against unlicensed hawkers in Mong Kok, agitators incited a large gathering that clashed with the police, which became known as the Mong Kok riot, resulting in injuries to approximately 100 police officers.

In March of the same year, anti-China agitators founded the so-called Hong Kong National Party, openly advocating for "Hong Kong independence", "national self-determination" and the establishment of an "independent and free 'Republic of Hong Kong'". In October, while taking the oath of office, some members-elect of the Sixth Legislative Council intentionally violated protocol to advocate for "Hong Kong independence", insulting the country and the nation.

In the face of these risks and challenges, the central government firmly supported the chief executive and the government of the HKSAR in responding effectively for ensuring Hong Kong's overall social stability. This included taking lawful action to address the illegal Occupy Central movement, banning the Hong Kong National Party, and revoking the membership of those advocating "Hong Kong independence" in the Legislative Council.

3. The 2019 Turmoil Posed the Greatest Challenge for Safeguarding National Security in Hong Kong

In 2019, external anti-China forces intensified their meddling in Hong Kong affairs. Following the HKSAR government's proposed revision of regulations on the surrender of fugitive offenders, agitators in Hong Kong, under the pretext of opposing the revision, spread alarmist claims in society, exploiting local residents' concerns and limited knowledge about the proposal. These actions ultimately culminated in the prolonged turmoil of 2019 and an attempted color revolution in Hong Kong. During this period, extreme violence and mutually destructive incidents with secessionist aims were widespread, inflicting so much damage on Hong Kong that it became unrecognizable from devastation. They imperiled China's security and posed the greatest challenge for the One Country, Two Systems practice since the return of Hong Kong.

- Advocating "Hong Kong independence" in an attempt to split the country, anti-China agitators in Hong Kong refused to recognize the legal authority of the Constitution over HKSAR and rejected the central authorities' overall jurisdiction, challenging and disrupting the constitutional order. They called for "national self-determination", "liberation of Hong Kong, revolution of our times", and clamored for "establishing a state by force" and "drafting a constitution in the streets". Through repeated secessionist activities aimed at undermining national unity, they sought, in futility, to turn Hong Kong into a *de facto* independent or semi-independent political entity.

- Anti-China agitators challenged the authority of the central leadership and endangered state power. They launched vicious attacks against the CPC leadership and China's fundamental system. They engaged in provocative public acts, including insulting and burning the national flag and defacing the national emblem and the emblem of the HKSAR. They stormed the central government agencies in the HKSAR, besieged the HKSAR government headquarters, and forced entry into the Legislative Council Complex, where they destroyed facilities and copies of the Basic Law. They attempted in vain to take control of the Legislative Council by manipulating its elections, with the intent of vetoing any government bills to paralyze Hong Kong's governance and thus creating a constitutional crisis, to ultimately subvert state power.

- Anti-China agitators were perpetrators of violence and terrorism and disruptors of social order. Manipulating instruments of public opinion, they incited hatred and advocated violence, instigating young students and coercing them into illegal activities. They vandalized buses, traffic lights, and other public facilities; damaged property in subway stations and at the airport; hurled Molotov cocktails and petrol bombs in public spaces during violent confrontations against law enforcement; besieged the police headquarters; and attacked Chinese-funded banks and businesses associated with the Chinese mainland or the HKSAR government, severely disrupting social order. These acts took a heavy toll on Hong Kong's economy. Commercial activities grounded to a halt, and once-vibrant streets lost all vitality, leading to a sharp decline in Hong Kong's GDP. The daily lives of local residents were profoundly disrupted, with employment, schooling, medical care, and transportation severely impacted. Hong Kong's international interactions were greatly disturbed, and the region suffered a sharp decline in investment and business climate and a tarnished international image as a result.

- Anti-China agitators trampled on human rights and personal freedom and undermined democracy in Hong Kong. They attacked anyone who dared to question them, carrying out unlawful detentions, mob assaults, and beatings, and even setting

victims on fire with gasoline. They perpetrated violence in communities and infringed the rights of residents to life and property. They disrupted the fair and orderly electoral processes by coercing, intimidating, and attacking candidates and voters, and went so far as to openly desecrate the family graves of a Legislative Council member. In addition, they abused the rules of the Legislative Council and engaged in deliberate disruption of the council's normal proceedings and operation, preventing the rational discussion and adoption of key bills bearing on the economy and people's lives, thereby inflicting severe harm on residents' interests and wellbeing.

– Anti-China agitators colluded with hostile external forces, and solicited their interference. Acting as political agents for hostile foreign forces, they frequently travelled overseas to supply evidentiary material for the concoction of Hong Kong topics overseas, call for foreign sanctions on the Chinese mainland and Hong Kong and even suggest the method of sanction and provide a targeted list for sanction. They claimed that they “wish foreign countries to exert influence on us”, that they “desperately need foreign forces to assist us to pull through”, and they even pledged to “fight for the United States”.

These acts constituted a direct challenge to Hong Kong and the rest of China, demonstrating flagrant disregard for the fundamental interests of the country and nation, including those of Hong Kong. By shoring up agitators in Hong Kong, external anti-China forces arbitrarily distorted the successful practice of One Country, Two Systems, meddled in Hong Kong affairs, and committed gross interference in China's internal affairs through the imposition of baseless sanctions.

By exploiting the turmoil they had themselves created, anti-China agitators took a majority of seats in the elections for the sixth-term district councils in November 2019, turning the district councils into a platform for advocating secession, violence, and mutual destruction. Once entering the council, they unveiled a three-step plan to take full control of the Legislative Council and the Election Committee for electing the HKSAR chief executive, and manipulate the election of the chief executive, in a brazen attempt to seize overall power in Hong Kong.

The attempted color revolution plotted by Hong Kong agitators and the external anti-China forces posed a grave challenge to the One Country, Two Systems principle, severely undermined the constitutional order and rule of law in Hong Kong, and ultimately endangered China's sovereignty, security, and development interests. It also exposed the legal loopholes and institutional deficiencies in safeguarding China's national security in the HKSAR.

Despite its best efforts to quell the riots and restore order, the HKSAR government could no longer effectively control the situation and safeguard China's national security on its own. The central government therefore had to act quickly to establish a legal shield to protect China's national security in Hong Kong in order to neutralize this major threat.

II. The Central Government's Fundamental Responsibility for National Security Matters Concerning Hong Kong

In response to the 2019 turmoil in Hong Kong, the central government carefully assessed the situation and introduced a series of decisive measures, including reinforcing the legal framework and enforcement mechanisms for safeguarding national security in the HKSAR, improving the region's electoral system and governance, and implementing the principle of patriots administering Hong Kong. These measures effectively put an end to the chaos and ushered in a new period in safeguarding national security in the region.

1. Safeguarding National Security Falls Within the Purview of the Central Government

The central government bears the fundamental responsibility for maintaining national security in all local administrative regions under its jurisdiction. This is clearly stipulated in the Constitution of the People's Republic of China, the Basic Law of the Hong Kong Special Administrative Region, the Law of the People's Republic of China on Garrisoning the Hong Kong Special Administrative Region, and the National Security Law of the People's Republic of China.

The Constitution stipulates that the state shall maintain public order, suppress treason and other criminal activities that endanger national security; and that the armed forces of the PRC shall strengthen national defense, resist aggression, defend the motherland, and safeguard the people's peaceful work. According to the Basic Law of the HKSAR, the central government shall be responsible for the foreign affairs relating to and the defense of the HKSAR, and appoints the chief executive and the principal officials of the executive authorities of the HKSAR. The Standing Committee of the National People's Congress decides when the region is in a state of emergency, and the appointment or removal of judges of the Court of Final Appeal and the chief judge of the High Court must be reported to the NPC Standing Committee.

The Law of the PRC on Garrisoning the HKSAR provides the legal basis for the armed forces stationed by the central government in the region to perform their defense functions and responsibilities in accordance with the law, and safeguard national sovereignty, unity and territorial integrity, and Hong Kong's security. The National Security Law defines the responsibilities of the central Party and government departments in safeguarding national security, and stipulates that the HKSAR shall fulfill the responsibility of safeguarding national security.

Central authorities enacting laws to safeguard national security is a common international practice without exception. Both unitary and federal systems have adopted national-level legislation to punish criminal acts that endanger national security and to maintain the country's overall security. States that practice the common law, including the US, the UK, Canada, and Australia, have formulated extensive statutory laws in this regard. They have established a comprehensive legal framework on national security encompassing legislation, law enforcement, prosecution, adjudication, and criminal rehabilitation. Moreover,

these countries continuously refine their legal systems in response to evolving national security landscapes. When the HKSAR, confronted with the most severe challenge to national security, found it unable to enact relevant legislation on its own, the central government's exercise of its constitutional power to legislate for national security at the state level became both imperative and urgent.

2. The Enactment of the Hong Kong National Security Law Restored Order in the Region

To end the deteriorating security situation following the 2019 turmoil in Hong Kong, the Fourth Plenary Session of the 19th CPC Central Committee in October 2019 made a series of major decisions, including: establishing and reinforcing the legal system and enforcement mechanisms for safeguarding national security in the special administrative regions; supporting the SARs in strengthening their law enforcement capabilities; and taking resolute action to prevent and stop external forces from interfering in the affairs of Hong Kong and Macao and engaging in separatist, subversive, infiltrative, and sabotaging activities.

In 2020, with an NPC decision and follow-up legislation by its Standing Committee, the central authorities improved the systems and mechanisms for maintaining national security within the framework of the Constitution and the Basic Law, ending the prolonged absence of a national security shield in Hong Kong.

On May 28, the Third Session of the 13th NPC adopted the Decision of the National People's Congress on Establishing and Improving the Legal System and Enforcement Mechanisms for the Hong Kong Special Administrative Region to Safeguard National Security (NPC's May 28 Decision), which specifies the overall requirements and basic principles on the matter at the state level. The NPC Standing Committee was entrusted with formulating relevant laws to prevent, halt, and punish acts that jeopardize national security and activities of foreign or external forces that interfere in the affairs of the HKSAR.

On June 30, the 20th Session of the 13th NPC Standing Committee unanimously passed the Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region (Hong Kong National Security Law), and decided to include it in Annex III of the Basic Law for implementation in the HKSAR following its promulgation. The Hong Kong National Security Law fully reflects the common aspirations of all Chinese people, including their compatriots in Hong Kong, and demonstrates the unshakable will of the state.

The legislative purpose of the Hong Kong National Security Law includes fully, faithfully, and resolutely implementing the policy of One Country, Two Systems, under which the people of Hong Kong administer Hong Kong with a high degree of autonomy; safeguarding national security and preventing, halting, and punishing crimes relating to the HKSAR that jeopardize national security; and maintaining the region's prosperity and stability while protecting residents' legitimate rights and interests.

The Law stipulates the following:

- First, the central government bears the fundamental responsibility for maintaining national security in the HKSAR, while the HKSAR bears the constitutional responsibility for safeguarding national security. The HKSAR shall complete, as early as possible, legislation for safeguarding national security as stipulated in the Basic Law;
- Second, in safeguarding national security, the HKSAR shall uphold the principle of the rule of law and protect human rights. This entails adherence to legal principles such as legality, the presumption of innocence, protection of the right to litigation, and double jeopardy;
- Third, the establishment of HKSAR government bodies responsible for safeguarding national security and their duties;
- Fourth, the four categories of offenses related to national security, namely secession, subversion, terrorist activities, and collusion with a foreign country or with external elements to endanger national security – and the corresponding penalties;
- Fifth, jurisdiction, applicable law, and procedure;
- Sixth, the establishment of the Office for Safeguarding National Security of the Central People's Government in the HKSAR, defining of its duties, and the circumstances under which the Office shall exercise jurisdiction over criminal cases that endanger national security and the procedures in such cases.

The Hong Kong National Security Law introduced innovative enforcement mechanisms for safeguarding national security at both central and HKSAR levels. According to its provisions, the Committee for Safeguarding National Security of the HKSAR was established on July 3, 2020, with the chief executive as the chair. It would assume primary responsibility for safeguarding national security in the region, and would be under the supervision of and accountable to the central people's government, with a national security adviser designated by the central people's government providing advice on matters relating to the duties and functions of the Committee. The Police Force of the HKSAR would establish a department for safeguarding national security, and the Department of Justice of the HKSAR would have a prosecution division responsible for prosecuting offenses that endanger national security. The chief executive would designate judges to handle cases concerning offenses that endanger national security.

On July 8, 2020, the Office for Safeguarding National Security of the Central People's Government in the Hong Kong Special Administrative Region was established in accordance with the law, bearing the responsibility for safeguarding national security and given a mandate to exercise relevant powers.

On December 30, 2022, to address new issues arising from the implementation of the Hong Kong National Security Law, the 13th NPC Standing Committee issued an interpretation of the Articles 14 and 47 of the Hong Kong National Security Law at its 38th session, clarifying the meaning of relevant provisions. The interpretation further clarified the authority of the

Committee for Safeguarding National Security of the HKSAR in making judgments and decisions on matters concerning national security, emphasizing that its decisions have enforceable legal effect and standardizing the methods and pathways for addressing issues in applying the Hong Kong National Security Law at the regional level.

The Hong Kong National Security Law was enacted to address prominent issues related to national security in the implementation of One Country, Two Systems and prevent national security risks. The ultimate purpose of the law is to uphold the One Country, Two Systems principle, maintain prosperity and stability in Hong Kong, and serve the best interest of Hong Kong and its residents. Its design fully reflects the legislative principle of adhering to the foundation of one country while respecting the differences between the two systems. The Law clearly affirms that the central government has an overarching responsibility for national security affairs relating to the HKSAR, stipulates that the HKSAR has a constitutional duty to safeguard national security, and mandates the HKSAR government to exercise jurisdiction over the vast majority of criminal cases concerning offenses that endanger national security. This demonstrates the central authorities' great trust in the region, which is an exceptional practice rarely seen among other sovereign states. The formulation and enforcement of the Law represent a steadfast commitment to, and improvement of, the One Country, Two Systems policy. Any allegation that the Law runs counter to this policy is entirely unfounded and divorced from reality.

The Hong Kong National Security Law appropriately handles its relationship with the Basic Law and Hong Kong's local laws. Formulated by the NPC Standing Committee in accordance with the Constitution, the Basic Law, and the NPC's May 28 Decision, this national legislation supplements and provides detailed stipulations for the national security systems and mechanisms established by the Basic Law under the One Country, Two Systems framework. Together, the Hong Kong National Security Law and the Basic Law constitute a significant legal foundation for the HKSAR to safeguard national security.

At the same time, the Law, as a specialized legislation for safeguarding national security in the HKSAR, appropriately addresses its relationship with local laws in Hong Kong and fully takes into account the characteristics of Hong Kong's legal and judicial systems. It is compatible and harmonized with, and complementary to, local laws in terms of legal concepts, normative structures, and terminology.

The Hong Kong National Security Law draws upon common law and continental law and integrates legal norms from substantive, procedural, and organic laws. While respecting Hong Kong's common law practices, it sets a valuable example for the exchange, mutual learning, and common development between different legal systems. The Law has dealt a heavy blow to anti-China agitators and hostile external forces. The electoral system and local governance institutions including district councils have been systematically reshaped, and the principle of patriots administering Hong Kong has been fully applied. The Hong Kong National Security Law has brought stability to Hong Kong in a decisive move, marking a watershed in the region's transition from chaos to order and leading the way to a new journey in the practice of One Country, Two Systems.

3. Improving Electoral System to Secure the Administration of the HKSAR

The electoral system has a critical bearing on the security of state power, and it is imperative that all elected officials be patriots. No people in any country or region in the world would ever allow an unpatriotic – or worse, a treasonous – force and figure to hold power. The power of government in the HKSAR must be firmly kept in the hands of those who love the country. This is crucial for Hong Kong's lasting peace and stability, and must not be compromised under any circumstances. Ensuring that governing power rests with the right people safeguards not only Hong Kong's prosperity and stability, but also the vital interests of its 7.5 million residents.

To uphold the principle of patriots administering Hong Kong, legally cut off the channels anti-China agitators could exploit to enter the governance structures through elections, and safeguard political security in the HKSAR, the central government adopted the approach of “decision + amendment”, whereby the NPC made the decision and its Standing Committee amended Annex I and Annex II of the Basic Law, refining Hong Kong's electoral system at the state level.

On March 11, 2021, the Fourth Session of the 13th NPC adopted the Decision on Improving the Electoral System of the Hong Kong Special Administrative Region, which defines the basic principles and core elements for improving Hong Kong's electoral system and authorizes the NPC Standing Committee to amend Annex I and Annex II of the Basic Law. On March 30, at its 27th session, the 13th NPC Standing Committee passed the amended Annex I “Method for the Selection of the Chief Executive of the Hong Kong Special Administrative Region” and Annex II “Method for the Formation of the Legislative Council of the Hong Kong Special Administrative Region and Its Voting Procedures”. On May 27, the HKSAR Legislative Council passed the Improving Electoral System (Consolidated Amendments) Bill 2021, completing the local legislative work on the electoral system.

The improvements mainly covered three areas. First, the Election Committee was restructured: its membership was enlarged, the number of sectors was increased, the delimitation of sectors was improved, and its functions were enhanced. Second, the membership of the Legislative Council was expanded from 70 to 90. Third, a Candidate Eligibility Review Committee was established. Through these improvements, the loopholes and deficiencies in the previous electoral system have been remedied, the shield for political security fortified, and anti-China agitators expelled from the governance structure of the HKSAR, ensuring that Hong Kong is administered by patriots.

The new electoral system strengthens effective cooperation between the executive and legislative branches and reduces interference arising from political disputes and confrontation, enabling the HKSAR government and all sectors of society to focus on economic development and improving people's lives. It is dedicated to addressing Hong Kong's long-standing and deep-seated problems and challenges while delivering tangible benefits to the residents. Practice has shown that the new

electoral system conforms to the principle of One Country, Two Systems and Hong Kong's realities. It is a carefully designed system that provides institutional support for the steady and sustained development of the One Country, Two Systems policy and long-term prosperity and stability in the region.

The formulation and implementation of the Hong Kong National Security Law, improvements to Hong Kong's electoral system, and other measures taken by the central government have effectively addressed both the symptoms and root causes of problems in Hong Kong, safeguarding national security and the region's constitutional order while suppressing destabilizing forces. They have been instrumental in swiftly quelling riots and restoring order in Hong Kong and represent a milestone in advancing the cause of One Country, Two Systems.

III. The HKSAR's Achievements in Fulfilling Its Constitutional Responsibility for Safeguarding National Security

The Hong Kong Special Administrative Region is an inseparable part of the People's Republic of China. As a local administrative region directly under the central people's government, the HKSAR shall fulfill its constitutional responsibility for safeguarding national security. Since the promulgation and implementation of the Hong Kong National Security Law, the chief executive and the HKSAR government have taken on their responsibilities and striven to deliver solid results in ensuring the law's application. Hong Kong's executive, legislative, and judicial branches have performed their respective functions to actively prevent, halt, and punish all acts and activities that endanger national security, thereby further strengthening the national security shield.

1. Completing Legislation Under Article 23 of the Basic Law

Completing legislation as required by Article 23 of the Basic Law had been a long-held hope of the Chinese people, including their compatriots in Hong Kong. Across Hong Kong, this legislation was widely seen as long overdue, and calls for its enactment were widespread. The enactment and application of the Hong Kong National Security Law and full implementation of the principle of patriots administering Hong Kong created the right conditions for this to be achieved.

In January 2024, the HKSAR government initiated the legislative process, and the Legislative Council then deliberated on the draft ordinance, clause by clause, in accordance with the procedures prescribed by law. On March 19, 2024, it unanimously passed the Safeguarding National Security Ordinance (SNSO), which was gazetted on March 23 and took effect on the same day. This marked that the HKSAR had finally fulfilled its long-overdue constitutional responsibility.

With the SNSO's promulgation, which has closed loopholes and strengthened weak areas in Hong Kong's local system and mechanisms for safeguarding national security, the HKSAR has comprehensively fulfilled its constitutional duties and obligations stipulated in the Basic Law, the May 28 Decision, and the Hong Kong National Security Law.

The SNSO aligns with the Hong Kong National Security Law, stipulating that the highest principle of the One Country, Two Systems policy is to safeguard national sovereignty, security, and development interests, thereby fully reflecting the primacy of the one country principle. It prohibits acts and activities endangering national security specified in Article 23 of the Basic Law and improves relevant systems and mechanisms in accordance with Hong Kong's practical needs for safeguarding national security, enabling the HKSAR to comprehensively prevent, halt, and punish such acts and activities in an effective manner.

The SNSO clearly establishes that it is founded on the key principle of respecting and protecting human rights. The freedoms of speech, of the press, of publication, of association, of assembly, of procession, and of demonstration, enjoyed by Hong Kong residents under the Basic Law, the provisions of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights as applied to the HKSAR, are protected accordingly.

Drafted in accordance with common law legislative procedures and practices, the SNSO fully incorporates existing local legal provisions and draws upon the latest achievements and experiences from comparative legislation in other countries, particularly common law countries. This approach ensures that the Ordinance aligns with internationally recognized practices and standards.

As a law for both safeguarding security and promoting development, the SNSO explicitly provides for the protection of property and investments within the HKSAR. It serves to maintain Hong Kong's prosperity and stability and fosters a more stable and predictable business and development environment for the region.

2. Continuously Improving Hong Kong's Legal System for Safeguarding National Security

In accordance with the Hong Kong National Security Law and the Safeguarding National Security Ordinance, the HKSAR has enacted, revised, and refined relevant local laws based on actual needs, providing a more concrete and complete institutional guarantee for safeguarding national security.

For example, in 2020, under Article 43 of the Hong Kong National Security Law, the Hong Kong Chief Executive and the Committee for Safeguarding National Security of the HKSAR introduced the Implementation Rules for Article 43 of the Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region, which set out in detail the procedures, applicable circumstances and conditions for approval for all measures. This provides a legal

basis for the HKSAR authorities responsible for safeguarding national security to effectively enforce the Hong Kong National Security Law.

In 2023, in accordance with the NPC Standing Committee's interpretation of Articles 14 and 47 of the Hong Kong National Security Law, the Legislative Council of the HKSAR amended the Legal Practitioners Ordinance. While maintaining the existing case-by-case mechanism for admitting overseas lawyers to represent parties in cases, the amendments clarified the conditions and procedures for the admission of overseas lawyers without local practicing qualifications in cases concerning national security. This has effectively forestalled national security risks associated with such legal representation in these cases. District councils were once turned into platforms for inciting "Hong Kong independence", violence, and mutual destruction. To address this problem, in the same year, the Legislative Council also enacted the District Councils (Amendment) Ordinance 2023, which has restored district councils to their prescribed role under the Basic Law as regional bodies without political power, reinforcing their consultative and service functions and explicitly barring district council members from engaging in acts that endanger national security. These measures have further reinforced the principle of patriots administering Hong Kong.

In 2025, the HKSAR government adopted two pieces of subsidiary legislation under the SNSO: the Safeguarding National Security (Office for Safeguarding National Security of the Central People's Government in the Hong Kong Special Administrative Region) Regulation and the Safeguarding National Security (Declaration of Prohibited Places) Order, thereby laying a solid foundation for the Office for Safeguarding National Security of the Central People's Government in the HKSAR to lawfully and effectively perform its functions and duties.

3. Taking Strong Law Enforcement and Judicial Actions to Safeguard National Security

The Committee for Safeguarding National Security of the HKSAR has effectively fulfilled its primary responsibility for maintaining national security. Under its coordination, the HKSAR's law enforcement, prosecution, and judicial bodies perform their duties scrupulously without fear, effectively safeguarding national security and upholding fairness and justice in accordance with the Hong Kong National Security Law, the SNSO, and other relevant legislation. Their achievements include the following:

- Cracking down on crimes endangering national security in accordance with the law. As of January 2026, 98 individuals were prosecuted under the Hong Kong National Security Law, of whom 78 were convicted.

As for the anti-China agitators who have continued to openly violate the Hong Kong National Security Law and the SNSO after fleeing overseas, the National Security Department of the Hong Kong Police Force has issued most wanted fugitives and specified concrete measures targeting these fugitives. This is a just decision – necessary for upholding the rule of law in Hong Kong, for safeguarding China's sovereignty and security, and for ensuring the region's long-term peace and stability. It is consistent with international law and internationally accepted practice. Drawing reference from the laws and practices of numerous countries where national security laws have extraterritorial effect, the HKSAR's issuing of wanted notices for overseas fugitives who pose dangers to national security has been a fairly rational and restrained act that is tailored to the realities of Hong Kong society.

- Judicial departments adjudicating impartially cases that endanger national security. Since the promulgation and implementation of the Hong Kong National Security Law over five years ago, the courts of the HKSAR have adjudicated a series of criminal cases involving acts endangering national security. Anti-China agitators who sought to destabilize Hong Kong have been convicted and put in jail in accordance with the law. On December 15, 2025, the High Court of the HKSAR delivered its verdict in the case of Lai Chee-ying, who had been alleged of violating the Hong Kong National Security Law and local laws. The Court found him guilty of two counts of conspiracy to collude with foreign forces and one count of conspiracy to publish seditious publications.

The courts of the HKSAR have accurately applied the Hong Kong National Security Law and relevant local legislation in delivering verdicts that uphold national security. The courts have confirmed that, when individuals exercise their rights and freedom, they shall not refuse to recognize that Hong Kong is an inalienable part of the PRC. They have emphasized that freedoms and rights of individuals in a society underpinned by the rule of law are neither infinite nor absolute. Otherwise, if abused, their destructive and disruptive force would be self-evident. They also confirm that the National Security Law seeks compatibility, alignment and complementarity with local laws.

In guaranteeing the fairness of trials and the procedural rights of the accused, the courts have confirmed that designated judges do not compromise the independent exercise of the power of adjudication and that the absence of a jury does not affect the defendant's procedural rights. The judgment states: The courts have noted that the establishment of a list of designated judges is conducive to improving the efficiency and consistency of trials. Judges are duty-bound by the judicial oath to discharge their functions strictly in accordance with the law, and must remain completely free from any interference by, or influence of, the government. Fundamental legal principles, such as burden of proof, standard of proof, presumption of innocence, right of silence, and right to a fair trial, apply in these cases as much as they apply in any criminal case tried in the Court of First Instance with a jury.

- Safeguarding the rights of prisoners. The HKSAR government provides a secure, humane, appropriate, and healthy custodial environment for all prisoners, guaranteeing their access to essential medical services, mental health counseling, and religious services. In accordance with the Post-Release Supervision of Prisoners Ordinance and the Prison Rules, the HKSAR government conducts case-by-case reviews to assess whether individuals imprisoned for offenses endangering national security meet the criteria for remission of sentence or early release, and then makes corresponding arrangements. A prisoner

was granted early release after being assessed as posing no further risk to national security on the grounds of genuine remorse and good conduct in prison. This case illustrated the application of the criminal justice principle of severity tempered by leniency under Hong Kong's national security legal framework, as well as the commitment to respecting and protecting human rights.

4. Making Solid Progress in Advancing Public Education and Awareness on National Security

Like air and sunshine, national security is often taken for granted, yet cannot be lived without. Safeguarding national security is a responsibility shared by all members of society; everyone is a stakeholder and beneficiary, and no one can be a mere spectator. Acting on this belief, the HKSAR government has continued to strengthen public education to enhance residents' awareness of national security. This has been achieved through the following:

- Promoting public national security education initiatives. For consecutive years, the HKSAR has celebrated the National Security Education Day on April 15, promoting awareness on national security through opening ceremonies, themed lectures, and open day events at the Chinese PLA Hong Kong Garrison, and many other forms. It has also held the National Security Law Legal Forum on multiple occasions and organized the Fifth Anniversary Forum of Promulgation & Implementation of Hong Kong National Security Law. In August 2024, Hong Kong established its first permanent National Security Exhibition Gallery, which provides a systematic introduction to the holistic approach to national security. The gallery has hosted a wide range of relevant thematic exhibitions, attracting more than 1.5 million Hong Kong residents.

- Strengthening national security education with a focus on young people. The HKSAR has rolled out contests for students, including the Territory-wide Inter-school National Security Knowledge Challenge and the National Knowledge Contest. It has facilitated comprehensive and systematic planning and advancing of national security education in schools at all levels, and established and updated the national security curriculum framework for primary and secondary schools in Hong Kong, integrating national security education into relevant subjects.

- Carrying out national security education in an innovative way. A dedicated website titled “The Truth About Hong Kong ‘Legislative Amendment Turmoil’” has been launched to preserve fact-based records and help the public remain informed and vigilant. The TV series such as *National Security Law Chronicles* advances public national security awareness through real-life cases, while the animated series *Andy and Security Bear* uses engaging storytelling to introduce key concepts to younger audiences. Local national security education tutors and youth ambassadors have been trained to extend this national security education to the wider public. All 18 districts in Hong Kong now organize annual national security activities, including carnivals and other events designed to bring this education to neighborhoods and local communities. Today, all Hong Kong residents share one aspiration: stability and peace, not riot and turbulence; vitality and prosperity, not decline and decay; unity and solidarity, not opposition and division; civility and rule of law, not lawlessness and disorder.

With the firm support of the central government, the HKSAR has been resolutely fulfilling its constitutional responsibility to safeguard national security. It has enacted a series of local laws and formed a comprehensive legal framework for this endeavor in which the Hong Kong National Security Law and local legislation are closely aligned and function as an integrated whole. Hong Kong's institutions for safeguarding national security have been improving, with their mechanisms operating more smoothly and their capabilities growing ever stronger. The understanding that security brings prosperity is increasingly becoming a mainstream consensus in society, creating a powerful synergy for safeguarding national security across the society.

IV. Hong Kong: From Disorder to Stability and Prosperity

Through the concerted efforts of the central government and the HKSAR, a historic transformation has been realized in safeguarding national security in the region with marked achievements. National sovereignty, security, and development interests have been effectively protected, and Hong Kong is enjoying a higher level of prosperity and stability with the wellbeing of its residents ensured. Bidding farewell to disorder, the region has entered a new phase of stability and prosperity, laying a solid foundation for the steady and sustained implementation of the One Country, Two Systems policy.

1. Government Security Safeguarded and Governance Efficiency Enhanced

Hong Kong's endeavors in safeguarding national security have fundamentally ensured that it is administered by staunch patriots. The constitutional order based on the Constitution and the Basic Law has been firmly established, and respect for and adherence to the country's fundamental system have become conscious practices across the region.

Under the new electoral system, the HKSAR has conducted elections for the Election Committee, the seventh Legislative Council, the sixth chief executive, the seventh district councils, and the eighth Legislative Council, ensuring that all those elected are patriots. An oath-taking system covering the chief executive, principal officials, members of the Executive Council and of the Legislative Council, judges of the courts at all levels and other members of the judiciary, civil service personnel, and district councilors has been established, refined, and effectively implemented. As a result, high-quality democracy that

aligns with the One Country, Two Systems policy, complies with the Constitution and the Basic Law, and suits the actual conditions of Hong Kong has been further developed.

The executive-led system has been operating smoothly, and governance has continued to improve in the HKSAR. The chief executive and the HKSAR government proactively fulfill their leading role and shoulder primary responsibility for Hong Kong's governance, demonstrating initiative, striving for progress, and delivering satisfactory results. The sixth-term HKSAR government has applied a result-oriented approach to governance, combining a competent government with a well-functioning market, breaking down entrenched interests and barriers, and focusing on resolving deep-seated economic and social problems. Positive interaction between the legislative and executive branches is now commonplace, and Legislative Council members continue to play an increasingly constructive role in governance by extensively gathering public opinions and proactively offering advice on government policies.

At the grassroots level, district councilors, care teams and the "three committees" (Area Committees, District Fight Crime Committees, and District Fire Safety Committees) serve the public wholeheartedly as bridges between communities and the government, assisting policy implementation and helping residents resolve issues. Patriotic political groups and organizations uphold their fine traditions by actively engaging in social affairs, uniting diverse forces, and fully supporting the chief executive and the HKSAR government in exercising governance in accordance with the law. Working together, they support Hong Kong's development and strive for its future. Hong Kong is thriving in a new climate of good governance.

2. Dignity of the Rule of Law Defended and Social Order Restored

Hong Kong's endeavors in safeguarding national security have dealt a heavy blow to the anti-China agitators who trampled on the rule of law and challenged law enforcement and judicial authorities in Hong Kong. The rule of law, long a source of pride for the local community, has now been restored. Acts and activities endangering national security have been effectively prevented, halted, and punished, while citizens' lawful rights are better protected within a secure environment. The turbulence of the past has gone, replaced by peace, order, vitality, and sustained stability across society. Residents are now able to travel without fear, businesses to operate without concern, and students to attend school with an easy mind. The business districts are vibrant and thriving, residents' lives and property are fully protected, and Hong Kong is once again one of the safest cities in the world. Major events in the fields of culture, arts, sports, finance, economy, and trade have been held here in succession, highlighting the appeal of this international metropolis.

Hong Kong's judiciary and legal community stands resolutely as the guardians of the rule of law. HKSAR courts adjudicated serious criminal cases during the 2019 turmoil in accordance with the law and handed down deterrent verdicts. In safeguarding national security in accordance with the law, law enforcement, prosecution, and judicial personnel in Hong Kong have to face vitriolic attacks – even intimidation, threats and sanctions – from some countries. In spite of the pressure, they have acted with courage, impartiality, integrity, and honesty, and stood firm in defense of fairness and justice, earning respect and praise from all sectors.

Hong Kong's original legal system, including the common law, has been maintained and developed. Its rule of law enjoys global renown, with the successive establishment of the headquarters of the International Mediation Institute, the Hong Kong Regional Arbitration Centre under the Asian-African Legal Consultative Organization, and the Asia-Pacific Liaison Office of the International Institute for the Unification of Private Law in the region representing a "vote of confidence" from the international community in the local rule of law.

3. Business Environment Improved and Economy Thriving

Hong Kong's endeavors in safeguarding national security have contributed to stability, certainty and predictability in the market, with an increasingly favorable business environment that continues to attract global investors.

The local economy has maintained steady growth. In 2023, Hong Kong successfully emerged from the Covid-19 pandemic, with its GDP continuing to expand, exceeding HK\$3 trillion in 2024 and recording a real-term increase of 3.5 percent in 2025. The region has further solidified its status as an international hub for finance, shipping, and trade. It again topped the world in economic freedom, ranked third globally in the Global Financial Centres Index, reclaimed its position among the top three in global competitiveness rankings, and recorded a significant improvement in its talent ranking, rising to fourth place globally and first in Asia. In 2025, the Hang Seng Index rose by 27.8 percent, while the IPOs on the Hong Kong Stock Exchange tripled year-on-year, ranking first globally. Hong Kong has remained the world's leader in air cargo throughput for years in a row and ranked fourth globally in registered tonnage of ships and in the International Shipping Centre Development Index.

New growth drivers and competitive advantages continue to gather momentum. Development of new quality productive forces has accelerated, with the Northern Metropolis advancing more rapidly through innovative approaches. The Hong Kong Park of the Hetao Shenzhen-Hong Kong Science and Technology Innovation Cooperation Zone has officially opened. More than 2,700 Single-Family Offices now operate in Hong Kong, with more than half managing assets exceeding US\$50 million. The number of Hong Kong-based enterprises whose parent company resides overseas or on the mainland has reached a historic high of over 11,000, and global investors have shown their confidence in Hong Kong's future with action. The region is universally recognized as possessing the best business environment in the world, a place where ambitious entrepreneurs and investors can thrive and realize their dreams.

Hong Kong's role as an internal-external link and a vital bridge and window to the rest of the world have been further strengthened. The city has successfully hosted successive sessions of the Global Financial Leaders' Investment Summit,

drawing an influx of financial elites from around the world. The 10th Belt and Road Summit in 2025 attracted over 6,000 political figures and business people from relevant countries and regions. Hong Kong ranked first in the 2025 Asian Cities Internationality Index, compiled by a professional agency commissioned by the Hong Kong General Chamber of Commerce. In November 2025, the Asian Infrastructure Investment Bank announced its plan to establish an office in Hong Kong. Throughout the year, the city welcomed 49.9 million visitors, marking a 12 percent increase compared to the previous year. In 2026, a survey by an international institution in Hong Kong showed that 94 percent of US-funded enterprises surveyed expressed confidence in Hong Kong's rule of law. Any attempt to disparage Hong Kong, undermine its business environment and international reputation, or encourage businesses to leave is destined to fail.

4. Rights and Freedoms Better Protected and Public Wellbeing Enhanced

Hong Kong's endeavors in safeguarding national security have better guaranteed local residents' rights and freedoms in accordance with the law. Over the past five years after the Hong Kong National Security Law came into effect, cases prosecuted for crimes endangering national security accounted for less than 0.2 percent of all criminal cases. This fully demonstrates that the Hong Kong National Security Law targets only a tiny minority of individuals who commit crimes endangering national security, while safeguarding the human rights and freedoms of the overwhelming majority. This stands in stark contrast to the practices of some countries that indiscriminately weaponize economic measures, technology, capital, currency, or tariffs under the broad label of national security.

Residents lawfully exercise their rights and enjoy various freedoms in Hong Kong, including the right to vote and to stand for election, the freedoms of speech, of the press and of publication, the freedoms of association, assembly, procession and demonstration, and the right and freedom to organize and participate in trade unions and strikes, while personal privacy remains strongly protected. Hong Kong continues to embrace diversity and vibrancy. As long as they abide by HKSAR laws, individuals of all political stances or beliefs can live, work, and study freely in Hong Kong. Over 200 local, mainland, and overseas media organizations have registered with the HKSAR news release system, with the number of overseas news media outlets steadily increasing year by year.

These facts refute any rumors that suggest the Hong Kong National Security Law infringes on human rights and the freedom of speech and the press, countering accusations of convictions for speech. And the claim that the One Country, Two Systems policy has been compromised by the introduction of the Law has been contradicted by the reality of life in Hong Kong.

Hong Kong's endeavors in safeguarding national security have allowed the whole society to concentrate on developing the economy and improving people's wellbeing, resulting in a growing sense of gain, fulfillment, and security among the public. The HKSAR government has significantly reduced the waiting time for public rental housing through effective measures such as the Light Public Housing project. The accelerated development of Community Living Rooms has improved the living environment for grassroots residents. District Health Centers, as hubs of community healthcare services, have been strengthened, providing a wider range of primary healthcare services to citizens. Social welfare coverage and supporting subsidy programs have been further expanded, with the Elderly Health Care Voucher Scheme extended to more medical institutions in the mainland cities of the Guangdong-Hong Kong-Macao Greater Bay Area. Hong Kong's first traditional Chinese medicine hospital has commenced operations, and several new cross-boundary elderly care homes have been established. The annual review of the Statutory Minimum Wage and the abolition of the Mandatory Provident Fund offsetting arrangement have strengthened protection for workers' rights and interests. The Greater Bay Area Youth Employment Scheme has been regularized to encourage more enterprises to offer positions for Hong Kong young people to work in the mainland cities of the Greater Bay Area. Together, these changes have enabled Hong Kong citizens to enjoy more tangible benefits in their daily lives.

Throughout the HKSAR, social hostility has diminished. People who love both the country and Hong Kong have been vindicated, while anti-China acts and rhetoric have been condemned. Extensive education campaigns on patriotism have helped patriotic mainstream values aligned with the One Country, Two Systems policy gain deeper resonance among the public. The social climate is becoming more positive, and justice continues to prevail.

V. Creating High-Standard Security for High-Quality Development of the One Country, Two Systems Policy

Nowadays, China has entered a critical stage in building itself into a great country and advancing national rejuvenation on all fronts through Chinese modernization. As the One Country, Two Systems practice has entered a new phase, Hong Kong continues to face a complex situation in safeguarding national security, and the struggle in this regard remains challenging and fierce. On the new journey in the new era, China must adhere to a holistic approach to national security as its guiding principle, accurately grasp the practical requirements of safeguarding national security under the framework of One Country,

Two Systems, and unswervingly build a high level of security so as to ensure steady and sustained progress in the One Country, Two Systems practice.

1. Upholding the Unity of the Central Government's Fundamental Responsibility and the HKSAR's Constitutional Responsibility

Safeguarding national security in Hong Kong under One Country, Two Systems is a shared responsibility of the central government and the HKSAR. The central government bears the fundamental responsibility for matters of national security pertaining to the HKSAR. It safeguards national security in all respects by law and exercises relevant powers, including handling national security matters that prove difficult to resolve at the special administrative region level. The HKSAR bears a constitutional responsibility for safeguarding national security. In accordance with the law, the chief executive and the executive, legislative, and judicial branches are responsible for effectively preventing, halting, and punishing acts and activities that undermine national security. In performing these duties, they are subject to the supervision of the central government and are accountable to it.

In safeguarding national security, the mechanism whereby the central government takes a guiding role and the HKSAR government assumes the principal responsibility is consistent with the One Country, Two Systems policy, and constitutes a vivid manifestation of the unity between upholding the overall jurisdiction of the central authorities and ensuring a high degree of autonomy in Hong Kong.

In the face of complex and changing situations, safeguarding national security must be a consistent theme throughout the implementation of the One Country, Two Systems policy. The central government supports the HKSAR in steadily strengthening its awareness of national security, fulfilling its duty of safeguarding national security in accordance with the law, fully and accurately implementing the Hong Kong National Security Law and the Safeguarding National Security Ordinance, adopting a holistic approach to both traditional and non-traditional security as well as to external and internal security, promptly studying new developments and solving new issues as they arise, continuously optimizing the systems and mechanisms for safeguarding national security, and improving relevant capabilities.

2. Keeping the Power to Govern HKSAR Firmly in the Hands of Patriots

Giving top priority to political security is crucial to China's national security in the new era. State power security and system security constitute the core of political security. Anti-China agitators' attack on the HKSAR government was, in essence, an attempt to undermine the leadership of the CPC and the fundamental system of the country. Safeguarding government security under the framework of One Country, Two Systems requires not only protecting the security of the HKSAR government, fully implementing the principle of patriots administering Hong Kong, and ensuring that the power to govern Hong Kong remains firmly in the hands of those who love the country, but also safeguarding the security of the country's fundamental systems and state power established by the Constitution. On this major issue of principle, a clear and firm stance must be upheld without any wavering.

Always staying vigilant on matters of national security is a lesson learned from the 2019 turmoil. To safeguard government security, instigators of disorder must be excluded from the HKSAR's governance structure, attention must remain focused on "soft confrontation" under the slogans of "democracy", "freedom", and "human rights", and the reverse flow of agitator activities from overseas to Hong Kong must be closely monitored. It is imperative to inspire more people in Hong Kong to love both the country and Hong Kong and forge a broader united front at home and abroad in support of the One Country, Two Systems policy. Hong Kong must follow a path of democratic development that aligns with its realities, and place virtuous patriots with a clear and firm stance, outstanding administrative capabilities and a commitment to public service in the governing team through high-quality elections. The executive-led system must be upheld and strengthened, and positive interactions between the executive and legislative branches should be promoted, to continuously improve the governance efficiency of the HKSAR.

3. Respecting and Ensuring Human Rights

National security bears on the security of everyone. In Hong Kong, it concerns the interests and wellbeing of all residents and foreign investors. Hong Kong's endeavors in safeguarding national security are not aimed to pursue "absolute" or "generalized" security. Instead, they have sound provisions on the protection of human rights and the rights and freedoms enjoyed by all of Hong Kong's residents in accordance with the Basic Law and the relevant provisions of the international covenants applicable to Hong Kong. Clear distinctions are maintained between crimes and non-crimes, ensuring that individuals and organizations can exercise their rights and freedoms in accordance with the law without interference. In the process of prosecuting those who endanger national security, the rights to defense and other litigation rights afforded by law to criminal suspects, defendants, and other participants in legal proceedings are fully guaranteed. Criminal suspects and defendants are entitled to a prompt and fair trial by judicial authorities.

Respecting and protecting human rights is a salient feature and important experience of the HKSAR's efforts to safeguard national security and must be adhered to over the long term. Normal interactions between Hong Kong residents and legal entities and other countries, regions, and relevant international organizations, as well as the various rights of foreigners in Hong Kong are fully protected in accordance with the law and will not be affected in any way. Normal official exchanges, commercial deals, research cooperation, academic exchanges, non-governmental communications, and other activities also remain sufficiently protected by law.

4. Safeguarding Security Under the Rule of Law

In safeguarding national security, the HKSAR strictly abides by the Constitution, the Basic Law, the Hong Kong National Security Law, and local laws, making sure that laws are observed and violations are punished. The principle of legality is upheld, meaning that the perpetrators of activities defined by law as crimes are convicted and sentenced in accordance with the law, while activities not so defined are not subject to prosecution or punishment. The principle of non-retroactivity is strictly observed, and due process and the presumption of innocence are fully respected, with all individuals thusly considered innocent prior to conviction by judicial organs. Individuals who have been conclusively convicted or acquitted through judicial proceedings are not subject to new trials or punishment for the same acts.

Law enforcement agencies exercise their powers in strict accordance with legal provisions, follow statutory procedures, and are subject to judicial scrutiny. The judicial authorities of the HKSAR exercise adjudicative power independently and, in trying cases pertaining to national security in accordance with the law, are free from any interference. The Office for Safeguarding National Security of the Central People's Government in the Hong Kong Special Administrative Region performs its duties in strict accordance with the law and operates under legally mandated oversight.

Hong Kong's common law system continues to apply. Efforts are being made to continuously improve the HKSAR's legal system and enforcement mechanisms for safeguarding national security, strengthen the judicial and legal systems, and ensure the independent exercise of adjudicative power by judicial agencies. These measures aim to enhance the role of the rule of law in consolidating foundations, stabilizing expectations, and delivering long-term benefits, and constantly strengthen the confidence of Hong Kong residents and the international community in the rule of law in Hong Kong.

5. Following a Holistic Approach to Development and Security

Security is a prerequisite for development, and development provides a guarantee for security. A firm commitment is required to both safeguard security and advance development. Hong Kong's unique status and strengths have formed through development, and their consolidation and improvement will also be achieved through it.

Security must not be overlooked while pursuing development. For extended periods in the past, Hong Kong lacked a sound legal system and enforcement mechanisms for safeguarding national security. This allowed political strife and societal chaos to persist, which led to missed opportunities for development and adversely impacted the wellbeing of the people.

The purpose of safeguarding national security is to ensure better development in Hong Kong and a better life for its residents, while providing better protection for the legitimate rights and interests of investors. It is therefore essential for the region to recognize that security and development are equally important imperatives, and pursue both as its top priorities. Only in this way can a secure foundation for Hong Kong's prosperity and development be established.

Under the new circumstances, a dynamic balance between development and security should be achieved so that the two reinforce each other. Innovation should be promoted while risks are prevented. Hong Kong's unique status and strengths should be consolidated and boosted, and new driving forces for development should be continuously strengthened. Greater attention should be given to security in unconventional areas such as finance, shipping, trade, and the protection of overseas interests. Intervention and sabotage by hostile external forces must be guarded against, and the systems and mechanisms for countering foreign sanctions, intervention, and long-arm jurisdiction should be further improved. Risk monitoring and early warning systems should be improved to effectively defuse major risks, so as to achieve high-quality economic development and maintain social stability in Hong Kong.

6. Safeguarding Security with Greater Openness

Safeguarding national security in Hong Kong under One Country, Two Systems aims at developing "open security", emphasizing dynamic protection of national security in an open environment. Backed by the motherland and connecting the world, Hong Kong has long enjoyed the reputation as an international center for finance, shipping and trade. By maintaining its long-term status as a free port and implementing a zero-tariff policy, it has remained one of the world's most liberal and open economies. The special administrative region functions as a pivotal link between the world's second largest economy and the global economy.

As such, safeguarding national security in Hong Kong means safeguarding the security of global industrial, supply and capital chains, international economic and financial security, and the basic order of economic globalization. In a highly internationalized environment, Hong Kong remains resolute in both safeguarding national security and maintaining openness, ensuring security through openness and promoting openness through security.

On the basis of a strong security foundation, the HKSAR will advance high-standard opening up to ensure a more liberal and open business environment, a more dynamic and resilient capital market, and seamless flow of capital, personnel, goods, data, and other factors of production. International exchanges and cooperation should be broadened and deepened, so that Hong Kong's international influence and competitiveness continue to rise.

Hong Kong will continue to employ judges and other judicial professionals from other common law areas, and its Court of Final Appeal will continue to invite such judges to participate in trials as needed. Lawyers from other areas will continue to work and practice law in Hong Kong in accordance with the law. The lawful rights and interests of investors from all countries and regions will continue to receive equal protection. People speaking different languages who come from different racial and cultural backgrounds will continue to interact and learn from each other, highlighting the perfect coexistence and integration of diverse cultures.

Regardless of changes in the international landscape, the central government will always lend full support to Hong Kong in building high-standard security, preventing and defusing major risks and hidden dangers, and extensively expanding its global reach. It is fully committed to maintaining the region's long-term prosperity and stability. The central government will continue to fully, accurately, and resolutely implement the principles of One Country, Two Systems, the people of Hong Kong administering Hong Kong, and a high degree of autonomy. It will uphold the fundamental tenet of One Country while respecting the differences of Two Systems, ensuring that the capitalist system and way of life in Hong Kong, its status as an international free port and separate customs territory, and its common law system remain unchanged over the long term. Private assets, corporate ownerships, lawful rights of inheritance, and the safety and legitimate interests of investors in Hong Kong will be effectively protected.

The practice of Hong Kong in safeguarding national security has consolidated the security foundation of One Country, Two Systems, and further strengthened the national security system of the country. It has led to successful approaches for safeguarding national security under the conditions of a highly internationalized environment and all-round opening up. Such experience has enriched the Chinese path to national security and provided a new example for other countries and regions seeking to safeguard their own security.

Conclusion

Hong Kong's endeavors to safeguard national security under the One Country, Two Systems policy have been extraordinary, with achievements that are widely recognized. Its stability and prosperity today have not come easily, and the hard-won progress must be cherished. A safe Hong Kong that is free, developed, open, and vibrant aligns fully with the One Country, Two Systems policy, serves China's fundamental interests, benefits the residents of Hong Kong, and meets the interests of external investors.

These endeavors are, at their core, efforts to uphold and advance the One Country, Two Systems policy, protect the fundamental human rights, dignity, and wellbeing of Hong Kong's 7.5 million residents, and promote world peace and development. In today's world, global transformation on a scale unseen in a century is accelerating, and the development environment facing China is undergoing profound and complex change. Safeguarding national security is a long-term and enduring task. The central government firmly supports the HKSAR in fully and faithfully implementing the policy of One Country, Two Systems, shouldering its constitutional responsibility for safeguarding national security, and continuously strengthening its national security shield, to ensure steady and sustained progress in the One Country, Two Systems practice with high-standard security.

Hong Kong, enjoying high-standard security, is bound to overcome all risks and challenges on the journey forward, and remain as steady as a rock in a turbulent world. Under such a condition, it will be able to proactively identify, respond to, and steer changes; build broad consensus across all sectors of society; open up new prospects of development through reform; and achieve long-term peace, stability, and prosperity.

Looking ahead, Hong Kong will fully leverage the strengths of One Country, Two Systems and better integrate into and contribute to China's overall development. As China advances its modernization drive to build itself into a great country and realize national rejuvenation, Hong Kong will definitely make new achievements and contribute more to the country.