Dear Letters Editor,

I write in response to your April 16 editorial.

Hong Kong people enjoy constitutional rights and protections, including freedom of speech and freedom of assembly. The organizers of the Occupy Central Movement were not prosecuted for exercising these freedoms or expressing their views. They were prosecuted for the unlawful obstruction of public places and roads in our city centre over a prolonged period. In adjudicating cases, our courts are concerned only with the law, and everyone is equal before the law. The organizers have the right to appeal.

Hong Kong benefits from a judiciary that is independent. Our people will vigorously defend this institution.

Our government’s proposed amendments to current extradition legislation aim to provide a legal basis to surrender a murder suspect to Taiwan to face charges. The amendments also aim to plug the existing loophole in our system whereby the current operational limitations render case-based surrender arrangements impracticable. The proposed arrangement will be adopted only where a jurisdiction does not have a long term arrangement with Hong Kong on juridical assistance in criminal matters. Similar arrangements have been practised in the UK and Canada.

Under the proposal, each extradition request must go through statutory procedures, including scrutiny by our executive authority and our court. The executive authority’s decision is also subject to judicial review. Human rights safeguards will be preserved, including the double criminality principle, no surrender for a political offence and protection against death penalty, etc.
The proposal has been submitted to our legislature for consideration. Our government will listen attentively to the views and practical suggestions of our legislators and members of the public.

Sincerely,

[Signature]

Eddie Mak
Hong Kong Commissioner, USA