

4 December 2018

Tom Tugendhat MP  
Foreign Affairs Committee  
Committee Office  
House of Commons  
London  
SW1A 0AA



Foreign &  
Commonwealth  
Office

King Charles Street  
London SW1A 2AH

Secretary of State

Dear Tom,

Thank you for your letter of 11 October about the decision by the Hong Kong authorities to prohibit the operation of the Hong Kong National Party, and the refusal to renew the visa for Financial Times journalist Victor Mallet.

I take seriously our longstanding duty to uphold the implementation of the Sino-British Joint Declaration. I believe that Hong Kong's success relies on the rights and freedoms protected by that international treaty, and we will continue to monitor closely events in Hong Kong, speaking publicly on issues of concern. I raised the issue of Hong Kong with State Councillor Wang Yi when I was in Beijing in July. The Prime Minister also raised Hong Kong with Chinese Premier Li Keqiang on 19 October when they met during the ASEM Summit in Brussels.

The UK has a strong interest in the stability and prosperity of Hong Kong. We have important economic and trade interests, and deep people-to-people links. You will be aware that we have raised publicly our concerns about recent developments, which call into question Hong Kong's high degree of autonomy. We have also made clear in private to the Chinese and Hong Kong Special Administrative Region Governments that it is vital that Hong Kong's rights and freedoms and high degree of autonomy, as set out in the Joint Declaration and enshrined in the Basic Law, are fully respected.

You asked about the recent decision by the Hong Kong Government to ban the Hong Kong National Party. This incident gives rise to concerns about the rights and freedoms protected by the Joint Declaration, as I outlined in the FCO statement of 24 September. However, we do not believe this decision constitutes a breach of the Joint Declaration. We understand that the Hong Kong National Party was banned under the Societies Ordinance, and that it is appealing against the ban, as it is entitled to do.

You also asked whether the UK agrees with the Hong Kong government's position that the Hong Kong National Party's agenda is in contravention of the Basic Law and is against national security, and whether advocating for independence is incompatible with 'One Country, Two Systems' or the Basic Law. We do not accept



the argument that it is 'unconstitutional' to express support for, or advocate, changing the constitutional order. People's rights to express their views are protected by the Basic Law and the Hong Kong Bill of Rights, as well as the Joint Declaration and the International Covenant on Civil and Political Rights, which protect freedom of expression. It is important that these rights are fully respected.

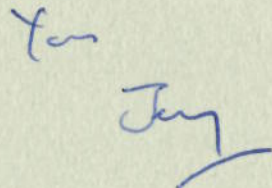
We have raised our concerns over the banning of the Hong Kong National Party with senior members of the Hong Kong Special Administrative Region Government, including directly with the Chief Secretary and the Secretary for Security.

You also referred to Victor Mallet's visa refusal. In my statement of 9 October, I called on the HKSAR authorities to reconsider their decision. The UK Consul General in Hong Kong has sought an explanation for the refusal, including when he met the Hong Kong Secretary for Security, John Lee, on 12 October to discuss the Mallet case. However, we are yet to receive one.

The Minister of State for Asia and the Pacific, Mark Field, visited Hong Kong on 9 and 11 November, and raised the matter with Hong Kong Chief Secretary Matthew Cheung, who said that the Hong Kong authorities did not have to provide any explanation of their visa decisions. You will also be aware that Mr Mallet was refused entry to Hong Kong on a visitor visa on 8 November. Mr Field made clear to Matthew Cheung, as well as in widely reported interviews with the Hong Kong press, that refusing visas for respected international journalists risks undermining business confidence. We note the statement issued by the American and British Chambers, which echoed those concerns. We have publicly refuted the assertion that it is standard practice for foreign governments to refuse to give explanations to the applicant for rejecting a visa application. Mr Field also met the Financial Times Asia Editor, Jamil Anderlini, who confirmed that the Financial Times has filed a formal appeal against the visa decision.

We stand ready to offer assistance to Mr Mallet, as a British citizen, and will continue to raise our concerns about the implications of this case.

I can assure you that I, and my Department, will continue to closely monitor developments in Hong Kong. We are committed to ensuring the rights and freedoms of the Hong Kong people are fully respected.

A handwritten signature in blue ink, appearing to read 'Jeremy Hunt', is written over the printed name below.

**THE RT HON JEREMY HUNT MP**