

Hong Kong: Safeguarding China's National Security Under the Framework Of One Country, Two Systems (I)

“一国两制”下香港维护国家安全的实践（上）

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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

前言

安全是国家生存发展的前提，是社会稳定的基础，是人民福祉的保障。保证国家安全是头等大事。为维护国家的统一和领土完整，保持香港长期繁荣稳定，中国政府创造性提出“一国两制”方针，进行了一系列坚决斗争，于1997年7月1日恢复对香港行使主权。

香港回归祖国后，中央政府和香港特别行政区致力于建设一个繁荣稳定的香港，反中乱港势力和外部敌对势力则竭力阻挠破坏，妄图把香港变成一个独立或半独立的政治实体，不断挑战“一国两制”原则底线，香港维护国家安全的斗争从未停止。中央政府对香港特别行政区有关的安全事务负有根本责任，香港特别行政区负有维护国家安全的宪制责任，中央政府全力支持香港特别行政区在应对各种风险挑战中砥砺前行。

进入新时代，以习近平同志为核心的党中央全面准确、坚定不移贯彻“一国两制”方针，强调维护国家主权、安全、发展利益是“一国两制”方针的最高原则。面对香港局势动荡变化，中央政府坚持总体国家安全观，依照宪法和基本法有效实施对特别行政区的全面管治权，制定实施香港特别行政区维护国家安全法，落实“爱国者治港”原则，支持香港特别行政区切实履行维护国家安全的宪制责任，依法有效防

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 treaties [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

范、制止和惩治危害国家安全的行为和活动，香港进入从由乱到治走向由治及兴的新阶段，展现出光明前景。

香港维护国家安全，是为了捍卫“一国两制”，维护国家主权、安全、发展利益，保持香港长期繁荣稳定，归根到底是为了国家好、香港好、香港居民好。实践证明，安全不是“紧箍咒”，而是“护身符”“助推器”。有了安全的护航，“一国两制”得以坚持和完善，强大生命力和优越性得到充分彰显，香港发展更具蓬勃活力，750万香港居民的福祉和各国投资者的利益得到切实保障。

为全面总结香港维护国家安全的实践历程和经验启示，正本清源、凝聚共识，以高水平安全护航“一国两制”事业高质量发展，中国政府特发布本白皮书。

一、香港维护国家安全的斗争从未停止

1840年鸦片战争后，香港被迫与祖国分离。从那时起，包括香港同胞在内的中国人民为恢复对香港行使主权进行了不屈不挠的斗争。中华人民共和国的成立，为解决香港问题创造了根本条件。改革开放后，中国政府从酝酿提出“一国两制”科学构想到全面实施“一国两制”方针，始终坚定维护国家主权、安全、发展利益，保持香港长期繁荣稳定。

（一）中国政府坚定捍卫国家主权、安全、发展利益

中国共产党历来从全局和战略高度审视处理香港问题，中华人民共和国政府从来不承认帝国主义强加的三个不平等条约（三个不平等条约：1842年8月29日，英国强迫清政府签订中国近代史上第一个不平等条约《南京条约》，割让香港岛。1860年10月24日，英国迫使清政府签订《北京条约》，割让九龙半岛南端界限街以南的地区。1898年6月9日，英国迫使清政府签订《展拓香港界址专条》，强租“新界”地区99年，由此侵占整个香港地区。）。1972年3月，中国致函联合国非殖民化特别委员会指

known as Hong Kong.] 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

出：“解决香港、澳门问题完全是属于中国主权范围内的问题，根本不属于通常的所谓‘殖民地’范畴。”在中国政府的努力下，1972年11月，联合国大会通过第2908号决议，将香港和澳门从反殖民主义宣言适用的殖民地名单中删去。

20世纪80年代初，为实现国家和平统一，中国政府创造性提出“一国两制”科学构想，并首先用于解决香港问题。在与英国政府谈判过程中，中国政府强调香港主权属于中华人民共和国，主权不是一个可以讨论的问题，中国在这个问题上没有回旋余地；在香港驻军体现国家主权，是为了维护国家安全，防止动乱；如果特别行政区发生危害国家和香港根本利益的事情，中央政府就非干预不行。经过艰苦谈判，中英两国政府于1984年12月签署《中英联合声明》，确认中华人民共和国政府于1997年7月1日恢复对香港行使主权，英国政府同日将香港交还给中国，并对回归前的过渡期作出安排。在过渡期，中国政府依据宪法制定香港基本法，并采取有力措施，同违背基本法和危害国家安全的行为进行了有理有利有节的斗争。中国政府坚决反对在香港推进别有用心“的“政制改革”，严格依照宪法和基本法组建香港特别行政区的政权机构，有条不紊完成筹建香港特别行政区工作。1997年7月1日，中国政府恢复对香港行使主权，香港特别行政区成立。中国政府的坚决斗争，为“一国两制”在香港的实践划出了安全底线。

(二) 香港基本法第23条立法长期是斗争焦点

回归后，香港作为中华人民共和国的一个地方行政区域，必须尊重和维国家的根本制度，切实维护国家安全。宪法和香港基本法对维护国家安全作出了宪制性安排。特别是基本法第23条规定，“香港特别行政区应自行立法禁止任何叛国、分裂国家、煽动叛乱、颠覆中央人民政府及窃取国家机密的行为，禁止外国的政治性组织或团体在香港特别行政区进行政治活动，禁止香港特别行政区的政治性组织或团体与外国的政治性组织或团体建立联系。”基本