

## **MAC: Hong Kong National Security Law and Implementation Rules of Article 43 of the Law are Enacted; Taiwanese must Carefully Assess Travels to or Transits in Mainland China, Hong Kong, or Macao and Pay Attention to Personal Safety**

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The Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region and Implementation Rules for Article 43 of the Law were enacted on June 30 and July 7, 2020, respectively. The Law is vaguely defined and excessive, and has already been used to arrest and prosecute Hong Kong citizens. It greatly elevates the risks faced by Taiwan nationals traveling to or staying in mainland China, Hong Kong, and Macao. The Mainland Affairs Council (MAC) therefore calls on the people of Taiwan to carefully assess travels to or transits in mainland China, Hong Kong, and Macao.

Hong Kong's National Security Law stipulates heavy criminal liability for the violations of "secession," "subversion of state power," "terrorist activities," and "collusion with foreign and external forces to endanger national security." It has stunned and come under intense suspicion in the international community for provisions criminalizing speech, broad presumption, and global application. The Implementation Rules for Article 43 of the law is extremely vague and over-reaching in wording, making it easy to run afoul of the Law and seriously violates human rights and the rule of law. The Rules also authorize the police to conduct searches and monitor communications without a court warrant, request deletion of online information when reasonable doubt of violation arises, prevent

departure from Hong Kong, demand provision of information on Hong Kong related activities, and even freeze and confiscate personal property. Violators of the Rules may face fines and imprisonment for six months to two years. Such legislations seriously violate personal freedom, property rights, privacy, freedom of communication, and trade secrets and constitute an infinite power expansion to censor people's thoughts.

Therefore, persons in mainland China, Hong Kong, and Macao regardless of nationality may be monitored and subjected to arbitrary law enforcement under the Hong Kong National Security Law. The Law also exposes them to far greater risk of detainment or deportation to mainland China, where they may be convicted. Taiwanese nationals who visit or transit in mainland China, Hong Kong, and Macao are reminded to be aware of the potential threat posed by the Law to their human rights and safety. Taiwanese planning to visit the Mainland, Hong Kong, or Macao, are also advised to carefully assess their visit and avoid such travel unless necessary.

The MAC stated that Taiwanese nationals and businesspeople traveling to or residing in Hong Kong or Macao may contact the 24-hour emergency hotlines at local representative offices of the MAC for assistance in resolving problems. The Hong Kong office (local name: Taipei Economic and Cultural Office) hotline may be reached at 852-6143-9012 and the Macao office (local name: Taipei Economic and Cultural Office) hotline may be reached at 853-66872557.