

HUMAN RIGHTS SITUATION IN HONG KONG:

HONG KONG WATCH BRIEFING ON EVENTS: JUNE 2023

EXECUTIVE SUMMARY

POLITICAL PRISONERS: ARRESTS, CHARGES, & TRIALS

In the last month, Beijing continued its crackdown on the pro-democracy movement in Hong Kong, with the following developments:

- Hong Kong police issue arrest warrants and bounties for eight overseas activists.
- Court of Appeal blocks Jimmy Lai's bid to challenge a national security search warrant of his phones.

THE STATE OF THE RULE OF LAW AND POLICING

- Police arrest pro-democracy figures on Tiananmen Square anniversary.
- HSBC terminates bank accounts of opposition party League of Social Democrats.
- Former executive at ByteDance alleges that the CCP accessed user data from TikTok belonging to Hong Kong protesters and civil rights activists.

A FREE PRESS IN THE CROSS HAIRS

- Protest anthem Glory to Hong Kong starts to vanish from online sites as government seeks ban.
- Pro-democracy online Citizens' Radio station closes citing 'dangerous' political situation.

STATE SECURITY AND ECONOMY

- Hong Kong firms sanctioned by US for allegedly aiding Iran's missile programme.

OTHER DEVELOPMENTS

- Hong Kong protesters attacked by Chinese activists in Southampton.
- UK and US politicians write to HSBC Chief Executive over the blocking of BNO visa holders' access to their pension savings held in MPF schemes.
- Over 40 human rights organisations write to US Secretary of State Antony Blinken on his visit to China.

- EU Parliament adopts resolution urging the Hong Kong government to immediately release and drop all charges against pro-democratic representatives and activists.

POLITICAL PRISONERS: ARRESTS, CHARGES & TRIALS

Hong Kong police issue arrest warrants and bounties for eight overseas activists

The Hong Kong police issued arrest warrants for eight overseas-based Hong Kong activists, accusing them of serious national security offences including foreign collusion and incitement to secession.¹

Issuing wanted notices and rewards of HK\$1 million (£100,000) each,² police said the assets of the accused would be frozen where possible and they warned the public not to support them financially or face the risk of violating the law. This is the first time that arrest warrants and bounties have been issued in relation to overseas activity related to the national security law.

The accused are activists Nathan Law, Anna Kwok and Finn Lau, former lawmakers Dennis Kwok and Ted Hui, lawyer and legal scholar Kevin Yam, unionist Mung Siu-tat, and online commentator Yuan Gong-yi.³ They are accused of continuing to violate the national security law while in exile. The charges carry a maximum life sentence.

The activists are based in various places including the UK, the USA and Australia. Lawyer Yam is an Australian citizen.

UK foreign secretary James Cleverly, said “We will not tolerate any attempts by China to intimidate and silence individuals in the UK and overseas. The UK will always defend the universal right to freedom of expression and stand up for those who are targeted,” and called on Beijing to remove the National Security Law and for the Hong Kong authorities to end their targeting of those who stand up for freedom and democracy.⁴

China’s foreign ministry subsequently accused the UK and US of “harbouring criminals”, lashing out at the countries for “blatantly slandering Hong Kong’s national security law and interfering with the rule of law and normal law enforcement” in the territory.⁵

¹ <https://www.theguardian.com/world/2023/jul/03/hong-kong-issues-arrest-warrants-for-eight-overseas-democracy-activists>

² <https://www.bbc.co.uk/news/world-asia-china-66098796>

³ <https://www.telegraph.co.uk/world-news/2023/07/03/hongkong-bounty-for-eight-pro-democracy-activists/>

⁴ <https://www.gov.uk/government/news/statement-on-hong-kong-national-security-law-arrest-warrants>

⁵ <https://www.ft.com/content/afa283f7-a7ea-4593-8d26-a73195d8879d>

Court of Appeal blocks Jimmy Lai's bid to challenge a national security search warrant of his phones

Hong Kong's Court of Appeal has blocked Jimmy Lai's bid to challenge a national security search warrant of his phones, which he says contained protected journalistic materials.

Previous attempts made by the founder of defunct pro-democracy newspaper Apple Daily to block the warrant were twice rejected at the High Court in August and October last year.⁶

THE STATE OF THE RULE OF LAW AND POLICING

Hong Kong Police arrest pro-democracy figures on Tiananmen Square anniversary

More than 5,000 police officers descended on Victoria Park in Hong Kong on June 4, the 34th anniversary of the Tiananmen Square massacre, arresting more than 20 people holding flowers, candles or placards in memory of the massacre in central Beijing.⁷

The leader of one of Hong Kong's main opposition parties was among those arrested. Chan Po Ying, a veteran pro-democracy activist who heads the League of Social Democrats party, was holding a LED candle and two flowers.⁸

Hong Kong was previously known for holding the biggest Tiananmen remembrance event on Chinese territory, drawing tens of thousands of people to candlelight vigils. But after a crackdown on pro-democracy protests and the introduction of a sweeping national security law by Beijing in 2020, dissent has been stamped out.⁹

The UN High Commissioner on Human Rights, Volker Turk, said on Twitter that he was alarmed by the detentions and called for the release of "anyone detained for exercising freedom of expression and peaceful assembly".¹⁰

HSBC terminates bank accounts of opposition party League of Social Democrats

Hong Kong's HSBC bank has closed three bank accounts used by the League of Social Democrats (LSD) – one of the few remaining opposition parties in the city – for receiving donations.¹¹

Dickson Chau, a vice-chairman of the league, said the terminated accounts had been used to support the party's operations since it was founded in 2006. He said personal accounts held

⁶ <https://hongkongfp.com/2023/06/19/breaking-hong-kong-court-blocks-jimmy-lais-latest-bid-to-appeal-against-national-security-search-warrant-on-phones/>

⁷ <https://www.thetimes.co.uk/article/hong-kong-police-arrest-20-people-marking-anniversary-of-tiananmen-square-cf8nj9qfm>

⁸ <https://www.bbc.co.uk/news/world-asia-china-65803053>

⁹ <https://www.ft.com/content/2f4ae970-739c-4742-aea3-1653bbec1b65>

¹⁰ <https://twitter.com/UNHumanRights/status/1665415438514176002?s=20>

¹¹ <https://hongkongfp.com/2023/06/02/hsbc-terminates-bank-accounts-of-hong-kong-opposition-party-league-of-social-democrats-without-giving-reason/>

by prominent league members also had been closed by HSBC, as well as by Bank of China and Hang Seng Bank over the preceding months.¹²

CCP accused of accessing Hong Kong protesters' TikTok data

A former executive at TikTok's parent company, ByteDance, has alleged that the Chinese Communist party accessed user data from the social video app belonging to Hong Kong protesters and civil rights activists.

Yintao Yu, a former head of engineering at ByteDance's US operation, claimed in a legal filing that a committee of Communist party members accessed TikTok data that included the users' network information, Sim card identifications and IP addresses in a bid to identify the individuals and their locations.¹³

A FREE PRESS IN THE CROSS HAIRS

Protest anthem Glory to Hong Kong starts to vanish from online sites as government seeks ban

The unofficial anthem of Hong Kong's pro-democracy protests in 2019 has been removed from streaming platforms ahead of a court order that may ban the song.¹⁴

Glory to Hong Kong had topped the city's iTunes chart after the government announced its intention to blacklist the song on security grounds. However, recordings started disappearing from Spotify and iTunes.¹⁵

More than 20 NGOs and human rights organisations subsequently wrote to the streaming platforms urging them to intervene to oppose the injunction sought by the Hong Kong government to effectively ban intermediaries from broadcasting or distributing online.¹⁶

Pro-democracy online Citizens' Radio station closes citing 'dangerous' political situation

Hong Kong's pro-democracy online Citizens' Radio station ceased operations on the third anniversary of the NSL (June 30), owing to what its founder described as a "dangerous" political situation and the freezing of its bank account.¹⁷

¹² <https://www.thetimes.co.uk/article/hsbc-attacked-for-closing-hong-kong-opposition-partys-accounts-p9rx2zph3>

¹³ <https://www.theguardian.com/technology/2023/jun/07/communist-party-accessed-hong-kong-protesters-tiktok-data-former-executive-says>

¹⁴ <https://www.bbc.co.uk/news/world-asia-china-65874954>

¹⁵ <https://www.theguardian.com/world/2023/jun/15/protest-anthem-glory-to-hong-kong-starts-to-vanish-from-online-sites-as-government-seeks-ban>

¹⁶ <https://www.hongkongwatch.org/all-posts/2023/6/21/hong-kong-watch-joins-other-ngos-in-letter-to-online-platforms-regarding-injunction-to-ban-the-song-glory-to-hong-kong>

¹⁷ <https://www.theguardian.com/world/2023/jun/30/hong-kong-pro-democracy-radio-station-closes-citing-dangerous-political-situation>

Launched in 2005 by veteran activist Tsang Kin-shing, the Cantonese-language broadcaster gained a steady following for its hard-hitting talkshows that were critical of authorities, as well as its years-long campaign for press freedom.

“Citizens’ Radio had no choice but to suspend broadcasting,” Tsang said in a Facebook post.

“Faced with a cliff-like change in the political situation, the red line is everywhere, the situation is dangerous, and it is difficult to invite guests to the programme,” Tsang wrote.

STATE SECURITY AND ECONOMY

Hong Kong firms sanctioned by US for allegedly aiding Iran’s missile programme

The US has sanctioned Hong Kong-based Lingoe Process Engineering, the US Treasury’s Office of Foreign Assets Control (OFAC) saying that it served as a front company for Zhejiang Qingji in its dealings with Iran-government affiliated groups Parchin Chemical Industry and P.B. Sadr.¹⁸

Hong Kong Ke.Do International Trade was also sanctioned by OFAC for allegedly selling tens of millions of dollars of dual-use, nonferrous metals to P.B. Sadr, the Treasury said.

The two Hong Kong companies were alongside six entities and seven individuals from China, Hong Kong, and Iran who have been sanctioned for allegedly supporting Iran’s ballistic missile development programme.

OTHER DEVELOPMENTS

Hong Kong protesters attacked by Chinese activists in Southampton

Hampshire police have opened an investigation after a group of pro-China activists were filmed assaulting two Hongkongers in Southampton marking the anniversary of June 12th rally.¹⁹

UK and US politicians write to HSBC Chief Executive over MPF concerns

Alicia Kearns, a Conservative MP and chairman of the House of Commons Foreign Affairs Committee, and Congressman Mike Gallagher, a US Republican member of the House of Representatives and chairman of the US Congress Select Committee on the Chinese

¹⁸ <https://www.wsj.com/articles/chinese-hong-kong-iranian-firms-sanctioned-for-allegedly-aiding-iran-missile-program-5e667e49>

¹⁹ <https://www.thetimes.co.uk/article/chinese-activists-attack-hong-kong-democracy-protest-in-southampton-dss60rp53>

Communist Party (CCP), wrote to HSBC expressing “deep concern” about the bank prohibiting some Hong Kong residents from making pension withdrawals.²⁰

“We are concerned that HSBC – in support of the Hong Kong National Security Law – is withholding pension funds from BNO [British National Overseas] passport holders and thus contributing to the oppression of people in Hong Kong,” they wrote to HSBC chief executive Noel Quinn.²¹

Over 40 human rights organisations write to US Secretary of State Antony Blinken on his visit to China

Over 40 human rights organisations, including Hong Kong Watch, write to US Secretary of State Antony Blinken to urge him to use the opportunity of his visit to China to inform the Chinese government that the US government will work alongside other governments to seek accountability for Chinese government abuses.²²

EU Parliament adopts resolution urging the Hong Kong government to immediately release and drop all charges against pro-democratic representatives and activists

The EU Parliament adopted a resolution (483 votes in favour, 9 against and 42 abstentions) which highlighted the alarming deterioration in fundamental freedoms, the rule of law, and judicial independence in Hong Kong since the National Security Law was passed, and that it is “in clear breach of the so-called “One Country Two Systems” principle.” They also called for the repeal of the National Security Law.²³

Members of the European Parliament urged the Hong Kong government to “immediately release and drop all charges against pro-democratic representatives and activists, including prominent businessman and politician Jimmy Lai” and called on the European External Action Service and the EU Office in Hong Kong to step up their trial observations, report on the most prominent trials and request prison visits to Hongkongers in jail for exercising their basic rights.²⁴

²⁰ <https://www.telegraph.co.uk/business/2023/06/30/hsbc-accused-persecuting-dissidents-hong-kong-who-flee/>

²¹ <https://www.ft.com/content/8e293ff2-25c7-4f78-8e6d-0e6d3eaa8686>

²² <https://www.hongkongwatch.org/all-posts/2023/6/15/hong-kong-watch-joins-41-other-human-rights-organisations-in-letter-to-us-secretary-of-state-anthony-blinken-on-his-visit-to-china>

²³ <https://www.hongkongwatch.org/all-posts/2023/6/15/hong-kong-watch-welcomes-european-parliament-resolution-on-hong-kong-and-calls-on-eu-member-states-to-act>

²⁴ <https://www.europarl.europa.eu/news/de/press-room/20230609IPR96215/human-rights-breaches-by-russia-in-sudan-and-in-hong-kong>