

Darkness is descending on freedom and democracy in Hong Kong, a leading global campaigning organisation has warned.

Fight for Freedom: Stand with Hong Kong, a worldwide network of Hongkongers who have been supporting the protest movement for the last year has responded to today with a stark warning, that the Chinese Communist Party will stop at nothing, including breaches of international law, to silence dissent in Hong Kong. In a statement issued today (1st July), to mark the anniversary of the handover of the city from British to Chinese rule, the organisation says:

“Today is the darkest day for the people of Hong Kong since the handover in 1997, indeed it is darker still by far. In 1997 we had hope that China would honour the Joint Sino British Declaration, maintain Hong Kong's autonomy, and support a range of human rights and democratic freedoms. Today, the world has seen that hope extinguished – within hours of the national security law being imposed by China, protestors have been arrested and may face life sentences for simply carrying banners that express support for democracy and freedom. What it means is that Hong Kong, as the world knows it, is dead. This sweeping law has effectively ended "One Country, Two Systems", which has been the foundation of Hong Kong's prosperity.

“Today is on a par with the building of the Berlin Wall. It is Tiananmen Square in slow motion. Will the world stand by and watch, or will it come to Hongkongers' aid?”

The following may also be attributed to Stand with Hong Kong:

The National Security Law (“NSL”) marks an unprecedented departure from Hong Kong’s common law tradition. The legislation creates four offences: secession, subversion, terrorism and collusion with foreign powers or organisations to endanger national security. These crimes, though vaguely defined, carry heavy sentences with a range from three years to life imprisonment. The NSL has an alarmingly longreach jurisdiction, which criminalises even activities conducted wholly outside of Hong Kong by non-Hong Kong permanent residents.

Even more alarmingly, it gives the Chief Executive power to appoint judges and remove judges, seriously jeopardising judicial independence. It removes basic rights that are cornerstones of the rule of law in Hong Kong: the right to jury, the presumption of bail and the right to silence.

It also provides that in some circumstances, the Central Government’s national security organization could take jurisdiction over the case, where it would be trialled by a Chinese court and under Criminal Procedure Law of the People’s Republic of China, instead of Hong Kong law.

The law further gives national security organisations and the police unchecked power to collect information, arrest and prosecute. For instance, with the approval of the Chief Executive, the national security department of the police could intercept and secretly monitor suspects, restrict suspects’ freedom of movement, and even confiscate personal properties and funds.

NSL has replaced Hong Kong's mini-constitution the Basic Law as the supreme legal text. Should there be any conflicts between NSL and Hong Kong laws, the NSL shall prevail over local laws which protect the fundamental human rights of Hongkongers, including but not limited to the Basic Law and the Hong Kong Bill of Rights Ordinance which incorporated the provisions of the International Covenant on Civil and Political Rights.

The NSL has already had chilling effects on Hong Kong's civil society. On 30 June alone, multiple activist groups had disbanded including Joshua Wong's Demosisto. Some observers anticipate mass arrest under the legislation's new powers in the weeks to come, starting with high-profile activists.

The legislation completely bypassed the local legislature; it was made available to Hongkongers for the first time at promulgation. China has dropped all pretence at respecting Hong Kong's autonomy and its way of life, as it promised to do under the 1984 Sino-British Joint Declaration.

Unable to tolerate criticism, the Chinese Communist Party opts to destroy a unique, prosperous gateway to the world. It reeks not only of hubris but profound fear for its own lack of legitimacy. China will continue to quash fundamental rights, freedoms and democratic principles, until it is fully sanctioned by the international community. For the rules-based international order to survive, China must face consequences for its tyrannical actions."

SWHK calls on the UK government to respond decisively to this indisputable breach of the Joint Declaration. In addition to declaring a breach, the UK government should urgently consider sanctions against China and Hong Kong: including but not limited to Magnitsky-style sanctions against complicit government officials and their immediate families; as a response to the NSL, revocation of the extradition agreement with Hong Kong; and placing limits on Chinese state-owned enterprises such as Huawei.

We urge the Home Office and the Foreign Office to urgently formalise their lifeboat policy for those with British National (Overseas) and those eligible for it. Due consideration should be given to extending protection to Hongkongers without BN(O) passports, allowing those facing political persecution to find sanctuary in the UK. The Foreign Secretary should also lead coordination efforts with other liberal democracies to create a global lifeboat for HongKongers, as he has previously indicated.

Notes to editors:

Standard paras and contacts.