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# HUMAN RIGHTS SITUATION IN HONG KONG:

## HONG KONG WATCH BRIEFING ON EVENTS: APRIL 2024

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#### POLITICAL PRISONERS: ARRESTS, CHARGES & TRIALS

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### **Andy Li, who faced alleged torture, and Chan Tsz-Wah testify in the trial of Jimmy Lai**

Key prosecution witness Andy Li continued to testify in the trial of British citizen Jimmy Lai. The prosecutor questioned Mr Li's international lobbying activities and involvement with the Inter-Parliamentary Alliance on China (IPAC), including a meeting in 2020 between Mr Li and Japanese Members of Parliament and an email exchange between Mr Li and Takashi Takai MP regarding the development of a Japanese version of the 'Human Rights and Democracy Bill'.

When Mr Li took the stand on 13 March 2024, there was an international outcry, including from the United Nations Special Rapporteur on torture,<sup>1</sup> following claims that evidence from Mr Li had been obtained through torture while in a Shenzhen prison from 2020 to 2021, including being allegedly subject to restraint chairs (tiger chairs) to force confessions.<sup>2</sup>

Following the testimony of Mr Li, paralegal Chan Tsz-wah took the stand to testify. Mr Chan is a paralegal who pleaded guilty<sup>3</sup> with Andy Li for allegedly conspiring with Jimmy Lai regarding plans to leave Hong Kong, to impose sanctions on China and Hong Kong, and to form a government-in-exile. Mr Chan is a former member of the civil society organisation 'Fight for Freedom. Stand with Hong Kong' (SWHK), and is currently remanded in custody.

Mr Chan said that Jimmy Lai shared his alleged "anti-China strategy" with him during a meeting in Taiwan in January 2020. Mr Chan detailed Mr Lai's four-step plan which included disseminating information about Hong Kong overseas, appealing to international concerns and seeking condemnations, relaying messages from foreign officials to Hong Kongers to ensure that Hong Kongers knew "foreign governments had not abandoned or given up on them."<sup>45</sup> Speaking with politicians, engaging in international lobbying activities, and peacefully exercising human rights and fundamental freedoms are permissible under international laws and treaties, including within the scope of Hong Kong's international legal obligations.

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<sup>1</sup> <https://www.ohchr.org/en/press-releases/2024/01/hong-kong-sar-un-expert-warns-against-admission-evidence-allegedly-secured>

<sup>2</sup> <https://ipac.global/ipac-pressrelease-andyli/>

<sup>3</sup> <https://www.theguardian.com/world/2021/aug/19/hong-kong-protest-pair-swept-up-in-national-security-crackdown-plead-guilty>

<sup>4</sup> <https://supportjimmylai.com/trial-updates/day-60-april-15/>

<sup>5</sup> <https://www.scmp.com/news/hong-kong/law-and-crime/article/3259588/jimmy-lai-plotted-trigger-chinas-collapse-and-install-us-style-democracy-hong-kong-court-hears?module=Law%20and%20Crime&pgtype=section>

## **First European national convicted under Hong Kong's National Security Law**

Joseph John, also known as Wong Kin-chung, became the first European and Hong Kong dual national to be convicted under the National Security Law (NSL) in Hong Kong. Mr John is a Portuguese citizen who holds a Hong Kong identity card and is also a UK resident.<sup>6</sup> Appearing before District Judge Ernest Lin, Mr John was sentenced to 60 months in jail for alleged incitement to secession for managing the Hong Kong Independence Party's social media accounts between July 2020 and November 2022.<sup>7</sup>

Mr John indicated his intention to plead guilty to conspiring to incite secession in November 2023 after being remanded in custody for more than one year.<sup>8</sup> In March 2023, Mr John's initial charge for sedition was upgraded to conspiracy to incite secession which carries penalties for up to 10 years' rather than two years' imprisonment. His initial charge sheet included "publishing, making available and/or continuing to make available statements and photos on Facebook, Internet website[s], Twitter, Instagram and Telegram".<sup>9</sup>

The conviction of Mr John signals that dual and foreign nationals are at serious risk of imprisonment in Hong Kong under the NSL, and the Safeguarding National Security Bill.<sup>10</sup> This month, the European Parliament passed an urgency resolution on Hong Kong, which included calling for Mr John's immediate and unconditional release.<sup>11</sup>

## **Cardinal Zen and 4 other former 612 Humanitarian Relief Fund trustees to appeal conviction over 2019 relief fund**

Cardinal Joseph Zen and Cyd Ho, Margaret Ng, Denise Ho and Hui Po-keun, who are all former trustees of the now defunct 612 Humanitarian Relief Fund, are expected to appeal their convictions over a relief fund that supported pro-democracy protesters in 2019.

The former trustees were arrested in May 2022 by the national security police.<sup>12</sup> In November 2022, the trustees were found guilty and fined HK\$4,000 (USD\$511) each for not registering the fund as a society, which is mandatory under the Hong Kong Societies Ordinance. The court ruled that the 612 Fund involved "political aims" and was not exempt from the Ordinance. The case is seen to be politically motivated and a way of criminalising pro-democracy activism.

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<sup>6</sup><https://www.scmp.com/news/hong-kong/law-and-crime/article/3253361/president-dissolved-hong-kong-party-pleads-guilty-violating-national-security-law-through-seditious>

<sup>7</sup> <https://hongkongfp.com/2023/11/02/portuguese-national-set-to-plead-guilty-to-conspiring-to-incite-secession-under-security-law/>

<sup>8</sup> <https://hongkongfp.com/2023/03/28/hong-kong-court-denies-bail-to-portuguese-national-under-security-law/>

<sup>9</sup> <https://hongkongfp.com/2023/03/10/hong-kong-prosecutors-upgrade-sedition-charge-against-portuguese-man-to-secession/>

<sup>10</sup><https://www.hongkongwatch.org/all-posts/2024/4/11/hong-kong-watch-condemns-first-conviction-of-dual-national-under-hong-kongs-national-security-law>

<sup>11</sup> [https://www.europarl.europa.eu/doceo/document/RC-9-2024-0238\\_EN.html](https://www.europarl.europa.eu/doceo/document/RC-9-2024-0238_EN.html)

<sup>12</sup><https://hongkongfp.com/2022/05/11/breaking-barrister-margaret-ng-among-trustees-of-defunct-protest-fund-arrested-by-hong-kong-police-sources/>

The appeal is set to be heard at the Hong Kong High Court on 8 January 2025, and is expected to last for three days.<sup>13</sup>

### **Hong Kong judge says Chow Hang-tung's national security trial will not begin this year**

Chow Hang-tung, Lee Cheuk-yan and Albert Ho appeared before the High Court of Hong Kong for another case management hearing. Judge Alex Lee, who previously said their national security trial may start in November this year,<sup>14</sup> said it would not begin this year because the judges who will preside over the case have yet to be determined.<sup>15</sup> There is no expected start date.

Ms Chow, Mr Lee and Mr Ho were charged more than two years ago for their involvement in the Hong Kong Alliance in Support of Patriotic Democratic Movements of China, a grassroots advocacy organisation established in 1989 to hold Beijing officials responsible for the Tiananmen Square Massacre and to campaign for democratic reforms and the release of political prisoners in China. In May 2023, they were found guilty of not complying with a national security police request for information on the members of the Alliance and other data.<sup>16</sup>

As the former vice-chairperson of the Alliance, Ms Chow was arrested on 4 June 2021 for allegedly publicising a banned public assembly for a Tiananmen Massacre vigil. On 30 June 2021, Ms Chow was re-arrested for allegedly inciting an illegal assembly, which was scheduled to take place on 1 July 2021.<sup>17</sup> Ms Chow is already in prison for related charges, but if convicted of alleged inciting subversion of state power, she faces a potential sentence of 10 years' imprisonment.

### **Stand News sedition trial verdict postponed again to August**

The verdict for the Stand News sedition trial was postponed again to August.<sup>18</sup> The case involves former editors Chung Pui-kuen and Patrick Lam, who face alleged sedition charges for publishing 17 "seditious" articles between July 2020 and December 2021.

During the trial which started in October 2022, Mr Chung told the court he never imagined that journalism could attract a sedition charge and that the government's "suppression of critical voices or opinions will cause hatred more easily" than the initial opinions

<sup>13</sup><https://hongkongfp.com/2024/04/23/hong-kong-cardinal-zen-and-4-other-activists-to-challenge-conviction-over-2019-protester-relief-fund/>

<sup>14</sup><https://hongkongfp.com/2024/02/19/nat-security-trial-for-tiananmen-crackdown-vigil-group-members-to-begin-november-at-earliest/>

<sup>15</sup><https://hongkongfp.com/2024/04/25/nat-security-trial-for-ex-leaders-of-hong-kongs-tiananmen-vigil-group-will-not-begin-this-year-judge-says/>

<sup>16</sup><https://www.aljazeera.com/news/2023/3/4/hong-kong-court-convicts-3-members-of-1989-tiananmen-vigil-group>

<sup>17</sup><https://www.hongkongwatch.org/political-prisoners>

<sup>18</sup><https://hongkongfp.com/2024/04/24/breaking-verdict-for-hong-kong-stand-news-sedition-trial-postponed-again-to-august/>

themselves.<sup>19</sup> The articles presented as evidence included opinion pieces which criticised the government but were within the bounds of free speech.

The verdict in this case is expected to serve as a roadmap for other sedition cases, as the prosecution argued that even allowing political commentary to be published, as editors, may violate national security. This would have a further devastating effect on freedom of expression and freedom of the press in Hong Kong.

### **Hong Kong student jailed over alleged money laundering linked to 2019 protest fund**

Chinese University of Hong Kong student Yu Yan-yuk received a 16 month jail sentence for his links to a fund that supported pro-democracy protesters in 2019. Just 17 years old at the time, Mr Yu's bank account was used for the Spark Alliance, one of the largest crowdfunding organisations which financed bail applications for arrestees during the 2019 protests.

Four individuals, including Mr Yu, were arrested in December 2019 for their links to the Spark Alliance and alleged money laundering activities. At the time, the Hong Kong Police Force froze approximately HK\$70 million (USD\$8.9 million) worth of the Alliance's funds after "uncovering suspicious financial transactions". The four individuals denied the politically motivated allegations, and were awaiting trial on bail since.<sup>20</sup>

During his trial in March, the involvement of Mr Yu's bank account in the alleged offence was presented as evidence, including 23 deposits and 90 withdrawals related to the Alliance. There was no evidence that the four individuals financially benefited from the funds.<sup>21</sup>

### **Young Hong Kong activists open up about abuse in Hong Kong prisons**

*Trigger warning: This update mentions multiple forms of trauma, including sexual and physical assault*

Young Hong Kong activists told *Radio Free Asia* about sexual and physical abuses occurring at Hong Kong juvenile offender facilities.<sup>22</sup> This included an incident on 19 January, in which a Correctional Services Officer and four young inmates were remanded in custody for

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<sup>19</sup> <https://hongkongfp.com/2022/10/31/hong-kong-journalists-plead-not-guilty-to-sedition-as-trial-against-defunct-outlet-stand-news-begins/>

<sup>20</sup> <https://hongkongfp.com/2019/12/19/hong-kong-police-arrest-4-for-money-laundering-and-freeze-hk70m-used-to-support-pro-democracy-protesters/>

<sup>21</sup> <https://hongkongfp.com/2024/04/19/hong-kong-student-jailed-for-1-year-and-4-months-over-money-laundering-charge-linked-to-2019-protest-fund/>

<sup>22</sup> <https://www.rfa.org/english/news/china/hong-kong-prison-abuse-03302024103914.html>

causing serious bodily harm to an 18-year-old inmate. The victim required surgery from anal laceration and rectal perforation.<sup>23</sup>

Reports of this incident led to another young activist who previously spent time at the same juvenile detention facility to speak out about an unreported case at the facility, which involved sexual abuse, rape and anal assault perpetrated on a 15-year-old male. The activist reported that the correctional services officers did not contact the police until the boy needed to be hospitalised for persistent bleeding. He also spoke to the wider prison culture of bullying, sexual and physical assault that is carried out not only by prison guards but designated ‘B Boys’ who have “special privileges to discipline fellow inmates”.

Hong Kong continues to prosecute large numbers of young activists for alleged offences under the NSL. The Hong Kong Correctional Services Department reported that the juvenile prison population was around 450 at the end of 2022.<sup>24</sup>

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#### THE STATE OF THE RULE OF LAW AND POLICING

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### **Taipei-based human rights defender and Polish national deported from Hong Kong upon arrival**

Reporters Without Borders (RSF), a Paris-headquartered non-profit organisation which defends the rights of journalists worldwide, announced that Taipei-based RSF Advocacy Officer and Polish national Aleksandra Bielakowska was deported from Hong Kong upon arrival.<sup>25</sup>

Ms Bielakowska was in Hong Kong to monitor the trial of Jimmy Lai, who faces life imprisonment on national security charges. Upon arrival, Ms Bielakowska was detained for six hours, searched, and questioned at Hong Kong International Airport before being deported.

According to RSF, this is the first time the Hong Kong authorities have taken such a step. RSF representatives successfully entered Hong Kong in June and December 2023, and were able to monitor the trial of Mr Lai in December, without encountering any difficulties.<sup>26</sup>

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<sup>23</sup><https://hongkongfp.com/2024/01/22/4-prisoners-1-corrections-officer-remanded-over-allegedly-attacking-inmate-in-hong-kong-prison4-prisoners-1-corrections-officer-remanded-over-allegedly-attacking-inmate/>

<sup>24</sup> <https://www.rfa.org/english/news/china/hong-kong-prison-abuse-03302024103914.html>

<sup>25</sup> <https://rsf.org/en/hong-kong-rsf-representative-detained-and-deported-attempt-monitor-jimmy-lai-s-national-security>

<sup>26</sup><https://www.hongkongwatch.org/all-posts/2024/4/10/hong-kong-watch-condemns-the-deportation-of-rsf-human-rights-defender-from-hong-kong>

## UK releases six-monthly report reviewing the state of the rule of law in Hong Kong

The UK government published its latest six-monthly report on Hong Kong, covering 1 July 2023 to 31 December 2023.<sup>27</sup> The report concludes that “Hong Kong’s civil and political systems no longer reflect China’s commitments. [The National Security Law’s] implementation has led to the curtailing of fundamental freedoms such as freedom of speech, of the press, of assembly and of association.”

In the Foreword of the report, Foreign Secretary Lord Cameron expresses concerns regarding the enactment of the Safeguarding National Security Bill.<sup>28</sup> The Foreign Secretary provides reassurance to Hong Kongers who now live in the UK, stating, “The National Security Law has no authority in the UK. We do not have an active extradition agreement with Hong Kong or China. I want to assure our valued Hong Kong community in the United Kingdom: you are safe here.”

The Foreign Secretary reiterates his call to release British citizen Jimmy Lai, as well as noting Hong Kong officials preventing Hong Kong barrister Chow Hang-tung from challenging the legality of her charges. The Foreign Secretary also cites the arrest warrants and bounties issued against 13 exiled Hong Kongers, 6 of whom live in the UK,<sup>29</sup> the 2-month jail sentence for a Hong Kong student who posted pro-independence content online while abroad,<sup>30</sup> and the record low turnout in the Hong Kong District Council elections after the number of democratically-elected seats dropped from 452 to 88 in May 2023.<sup>31</sup>

Hong Kong Watch welcomes this six-monthly report, while urging the Foreign Secretary to swiftly implement consequences in response to the Beijing and the Hong Kong government’s actions, including imposing sanctions on Hong Kong Chief Executive John Lee, extending the British National (Overseas) visa scheme for those who were born before the 1997 handover and have at least one BNO-status parent, and reviewing the diplomatic privileges and immunities of the Hong Kong Economic and Trade Office in London.<sup>32</sup>

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<sup>27</sup> <https://www.gov.uk/government/publications/six-monthly-report-on-hong-kong-july-to-december-2023>

<sup>28</sup> <https://www.hongkongwatch.org/all-posts/2024/3/19/75-international-parliamentarians-and-public-figures-condemn-the-passage-of-article-23-legislation>

<sup>29</sup> <https://www.hongkongwatch.org/all-posts/2023/12/20/80-human-rights-organisations-sign-joint-statement-urging-government-action-in-response-to-latest-arrest-warrants-and-bounties-on-hong-kong-pro-democracy-activists>

<sup>30</sup> <https://www.reuters.com/world/asia-pacific/hong-kong-student-jailed-2-months-under-sedition-over-social-media-posts-japan-2023-11-03/>

<sup>31</sup> <https://www.hongkongwatch.org/all-posts/record-low-voter-turnout-in-hong-kong-district-council-elections>

<sup>32</sup> <https://www.hongkongwatch.org/all-posts/2024/4/15/hong-kong-watch-welcomes-uks-latest-six-monthly-report-on-hong-kong>

### **6.1% of Hong Kong doctors left positions at public hospitals last year**

In 2023, 6.1% of full-time doctors in Hong Kong left public hospitals. The city continues to recruit non-local medical doctors to fulfil the manpower shortage.

This latest data compounds the issue of medics leaving Hong Kong's public hospitals in recent years, such as in 2022 when the city lost 7.1% of full-time doctors despite a recruitment drive.<sup>33</sup> According to Hong Kong's Health Bureau, 1,032 doctors have resigned from public hospitals in the past three years.

In March 2023, Hong Kong Secretary of Health Lo Chung-mau said, "The entirety of Hong Kong faces shortages in the workforce. That is, to some extent, due to emigration, as well as many reasons such as the social and political environment."<sup>34</sup> The decline in the number of doctors alone reveals that business is not as usual in Hong Kong, as the people of Hong Kong are increasingly leaving the city where basic rights and freedoms and the rule of law continue to be dismantled.

### **European Parliament adopts urgency resolution on Hong Kong, passes law to ban forced labour products from EU market**

The European Parliament passed an urgency resolution which strongly condemns Hong Kong's recent passage of the Safeguarding National Security Bill and ongoing implementation of the Beijing-imposed NSL. The resolution urges the Hong Kong government to immediately and unconditionally release Andy Li, Jimmy Lai, Joseph John, Kok Tsz-lun and all other political prisoners in Hong Kong who are detained for exercising their internationally-guaranteed rights and freedoms.

Specifically, the resolution calls attention to the case of Andy Li, who recently testified in the case of Jimmy Lai under claims of torture and forced confession, and Joseph John, the first European and Hong Kong dual national to be convicted under the NSL. The resolution also denounces the recent deportation of Polish national Aleksandra Bielakowska from Hong Kong upon arrival.

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<sup>33</sup><https://hongkongfp.com/2023/06/30/more-medics-left-hong-kong-public-hospitals-last-year-than-previous-12-months-despite-recruitment-drive/>

<sup>34</sup><https://hongkongfp.com/2023/03/04/hong-kong-only-attracted-around-10-non-locally-trained-doctors-after-admission-rules-relaxed-health-chief/>



In the resolution, the European Parliament urges all EU member states to introduce lifeboat schemes for Hong Kong activists and to suspend extradition treaties with the People's Republic of China and Hong Kong. The European Parliament also calls on the European Council to review the 2020 Council Conclusions on Hong Kong,<sup>35</sup> including the need to impose sanctions on Hong Kong Chief Executive John Lee under the EU Global Human Rights Sanctions Regime.<sup>36</sup>

This month, the European Parliament also passed a new regulation 'Prohibiting products made with forced labour on the Union market'.<sup>37</sup> In January, Hong Kong Watch published a briefing, *Huawei and BYD Meet Hong Kong: Economic, Ethical, and Security Risks to the EU*, which calls on the European Parliament to adopt this regulation to effectively ban Huawei and BYD products, and factories, from entering the EU market due to their connection to forced labour in Xinjiang and human rights violations to Hong Kong.<sup>38</sup>

### **Hong Kong Watch releases updated Hong Kong Economic and Trade Office briefing**

Hong Kong Watch published an updated briefing on Hong Kong Economic and Trade Offices (HKETOs), *Beyond Borders: HKETOs, Article 23, and the CCP's Agenda Abroad*.<sup>39</sup> The briefing examines the background, relevant data, and mandates of the 14 HKETOs around the world, and then addresses the impact of Article 23 legislation on HKETOs.

The briefing recommends that governments review the status, privileges, and immunities of HKETOs in each country; review or remove the HKSAR's seat at the World Trade Organization, its representation at the EU, and its representation at the International Maritime Organization; that international lawmakers should propose that maintaining the status of HKETOs depends on Beijing not exercising more control over the Hong Kong SAR; and that the special treatment of the Hong Kong SAR should be reviewed.

The briefing follows Hong Kong Watch's 2022 publication *PRC Embassies in Disguise: Hong Kong Economic and Trade Offices are Another Overseas Arm of the CCP*,<sup>40</sup> which found that multiple HKETOs – namely in Brussels, London, Berlin, Toronto, Sydney, New York, San Francisco, and Washington DC – have similar privileges and immunities to diplomatic embassies and consulates, even where the host country also has a People's Republic of China embassy and consulates.

<sup>35</sup> <https://www.consilium.europa.eu/media/45222/council-conclusions-on-hong-kong.pdf>

<sup>36</sup> [https://www.europarl.europa.eu/doceo/document/RC-9-2024-0238\\_EN.html](https://www.europarl.europa.eu/doceo/document/RC-9-2024-0238_EN.html)

<sup>37</sup> <https://www.europarl.europa.eu/news/en/press-room/20240419IPR20551/products-made-with-forced-labour-to-be-banned-from-eu-single-market#:~:text=Parliament%20has%20given%20its%20final.%2C%20supply%20chains%2C%20and%20manufacturers.>

<sup>38</sup> <https://www.hongkongwatch.org/s/Huawei-and-BYD-Meet-Hong-Kong-Economic-Ethical-and-Security-Risks-to-the-EU-3.pdf>

<sup>39</sup> <https://static1.squarespace.com/static/58ecfa82e3df284d3a13dd41/t/661d27d2f3b6a75ffd967ea6/1713186770635/HKETO+Briefing+2024.docx.pdf>

<sup>40</sup> <https://www.hongkongwatch.org/all-posts/2022/10/13/new-hong-kong-watch-policy-paper-calls-for-host-countries-to-review-the-status-and-rebrand-hong-kong-economic-and-trade-offices>

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## **US passes law mandating ByteDance to sell TikTok in US, EU requires TikTok to provide risk assessment**

The US House of Representatives and US Senate passed a bill, which US President Joseph Biden signed into law, which requires TikTok's Chinese owner ByteDance to divest from the video-sharing application within nine months. If ByteDance fails to do so, TikTok will be banned in the US amid national security concerns involving TikTok sharing user data with the Government of the People's Republic of China. TikTok said it plans to challenge the "unconstitutional" law in court.<sup>41</sup>

At the same time, the European Commission required TikTok to provide a risk assessment of mental health risks related to TikTok Lite within 24 hours. TikTok responded to the request, to which the Commission will "assess the response and decide on potential next steps".<sup>42</sup>

The US, EU and other like-minded allies around the world must continue to exercise due diligence with TikTok, which poses a data security risk so long as it is under the umbrella of ByteDance. This risk is particularly concerning for Hong Kongers who have fled from the Chinese Communist Party's increasing repression and who face increasing threats of transnational repression overseas following the enactment of Article 23 legislation and the imposition of the NSL in Hong Kong.

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### **OTHER DEVELOPMENTS**

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## **UK Indo-Pacific Minister visits China, Deputy Prime Minister gives speech on economic security**

The UK Minister for the Indo-Pacific Anne-Marie Trevelyan visited Hong Kong, Beijing, Shanghai and Tianjin to meet with the Chinese authorities, UK businesses, journalists, academics and civil society.<sup>43</sup>

Ahead of her visit Minister Trevelyan said, "In Hong Kong, I will raise concerns on the passage and implementation of national security laws as well as discussing our important trade links. In Beijing I will be clear about our right to act when China breaks its international commitments or violates human rights".<sup>44</sup> The Foreign, Commonwealth and Development Office reported that Minister Trevelyan raised the concerns of the British National (Overseas) (BNO) community, including the Mandatory Provident Fund Authority (MPFA) mandate that

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<sup>41</sup> <https://www.bbc.co.uk/news/articles/c87zp82247yo>

<sup>42</sup> <https://www.scmp.com/news/world/europe/article/3260108/tiktok-responds-eu-ultimatum-risks-new-tiktok-lite-app>

<sup>43</sup> <https://www.gov.uk/government/news/minister-travels-to-china-and-hong-kong-to-engage-on-worlds-biggest-challenges>

<sup>44</sup> <https://www.gov.uk/government/news/minister-travels-to-china-and-hong-kong-to-engage-on-worlds-biggest-challenges>

prevents BNO Hong Kongers from accessing their hard-earned pensions savings, during her visit.<sup>45</sup>

Following Minister Trevelyan's visit, Deputy Prime Minister Oliver Dowden gave a speech on economic security at Chatham House. The Deputy Prime Minister focused on geopolitical challenges including the People's Republic of China's "aggression in Xinjiang, the South China Sea, and Hong Kong" which "demonstrates its disregard for the rules based order".<sup>46</sup>

### **Hong Kong civil society organisations from across the EU urge Chancellor Scholz to raise concerns about Article 23 legislation in Hong Kong during Beijing visit**

German Chancellor Olaf Scholz and German business representatives met with top Chinese officials in Beijing from 13 to 16 April.

Hong Kong Watch and EU-based Hong Kong civil society organisations signed a joint statement urging Chancellor Scholz to "raise concerns about the enactment of the Safeguarding National Security Bill in Hong Kong and its incompatibility with international human rights standards, and to echo Germany's recommendation at the United Nations for the Government of the People's Republic of China (PRC) to 'restore full respect for the rule of law and civil society and political rights in Hong Kong' during his visit to Beijing".

They also called for Chancellor Scholz to publicly oppose the implementation of Article 23 legislation and to uphold the objective in Germany's Strategy on China which requires that Germany "must not remain silent on grave violations of human rights or breaches of the rules-based international order".<sup>47</sup>

Chancellor Scholz last visited China in November 2022, becoming the first Group of Seven (G7) leader to meet with General Secretary of the Chinese Communist Party Xi Jinping after the COVID-19 pandemic. Chancellor Scholz and Xi Jinping also met online in November 2023, when they discussed the improvement of German-China relations despite EU efforts to reduce its dependence on the Chinese economy.<sup>48</sup>

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<sup>45</sup> <https://twitter.com/FCDOGovUK/status/1783883145953132979>

<sup>46</sup> <https://www.gov.uk/government/speeches/deputy-prime-ministers-speech-on-economic-security#:~:text=%E2%80%A6%20our%20economic%20and%20security%20interests,conditions%20for%20business%20to%20flourish>

<sup>47</sup> <https://www.auswaertiges-amt.de/blob/2608580/49d50fecc479304c3da2e2079c55e106/china-strategie-en-data.pdf>

<sup>48</sup> <https://www.hongkongwatch.org/all-posts/2024/4/14/hong-kong-civil-society-organisations-urge-chancellor-scholz-to-raise-concerns-about-article-23-and-human-rights-in-hong-kong-during-visit-to-beijing>

## **46 civil society organisations urge US Secretary Blinken to raise human rights concerns during China visit**

46 Hong Kong civil society organisations from around the world urged US Secretary of State Antony Blinken to place human rights at the centre of his visit to China from 24 to 26 April. They called on him to consider imposing real consequences on Beijing as it violates human rights and its obligations under international law, including by issuing targeted sanctions against the Hong Kong and Beijing officials responsible for the recent enactment of the Safeguarding National Security Bill in Hong Kong.

Secretary Blinken visited Beijing and Shanghai to meet with senior Chinese officials to build on the US's "intensive diplomacy over the past year to responsibly manage the U.S.-China relationship by strengthening lines of communication to reduce the risk of miscalculation and conflict".<sup>49</sup> Just before the visit, the US Department of State published its 2023 Country Reports on Human Rights Practices which detailed human rights violations in China, including the drastic deteriorations in Hong Kong.<sup>50</sup>

Secretary Blinken's visit follows his visit to Beijing in June 2023 where he met with Xi Jinping, Minister of Foreign Affairs Wang Yi, and former Minister of Foreign Affairs Qin Gang. In these meetings, Secretary Blinken focused on the bilateral relationship between the US and China among other regional issues.<sup>51</sup>

## **Immigration, Refugees and Citizenship Canada confirms priority processing remains in place for Hong Kong Pathway applicants**

Immigration, Refugees and Citizenship Canada (IRCC) confirmed that priority processing remains in place for Hong Kong Pathway applicants in response to a letter from Canadian MPs Melissa Lantsman, Deputy Leader of the Official Opposition, and Tom Kmiec, Shadow Minister for IRCC.<sup>52</sup>

According to the Associate Deputy Minister of IRCC, the processing times for both Stream A and Stream B for Hong Kongers were 6.5 months as of 29 February 2024. The Deputy Minister noted the lack of processing slots due to a higher volume of applications. He suggested that Open Work Permit (OWP) holders extend their permits.

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<https://www.state.gov/senior-state-department-official-previewing-secretary-blinkens-upcoming-travel-to-the-peoples-republic-of-china/>

<sup>50</sup> <https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/>

<sup>51</sup> <https://www.hongkongwatch.org/all-posts/2024/4/24/46-civil-society-organizations-urge-secretary-blinken-to-raise-human-rights-concerns-during-china-visit>

<sup>52</sup> <https://www.hongkongwatch.org/all-posts/2024/3/15/melissa-lantsman-mp-and-tom-kmiec-mp-call-on-immigration-minister-to-ensure-priority-processing-remains-in-place-for-hong-kongers>

However, the existing policy does not include a bridge while applicants are waiting for a decision on their permanent residency application. This is causing Hong Kong families with children to lose or face the possible loss of their legal status while awaiting the processing of their permanent residency applications under Stream A and Stream B of Canada's Hong Kong Pathway. This has resulted in their children being unable to attend school, which is a significant obstacle to their education and future prospects.<sup>53</sup>

Hong Kong Watch urges the IRCC to increase its capacity to handle thousands of applications, given that there have been over 3,000 Stream A applications and over 4,000 Stream B applications since May 2023 and August 2023 respectively; and introduce a bridge for the OWP under the Hong Kong Pathway so that OWP holders can extend their permits without applying for new permits. These actions are vital to address several applicants facing emergencies regarding delays in obtaining permanent residency status.<sup>54</sup>

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<sup>53</sup><https://www.hongkongwatch.org/all-posts/2024/4/8/hong-kong-watch-canada-raises-deep-concerns-about-loss-of-hong-kong-families-legal-status-in-canada>

<sup>54</sup><https://www.hongkongwatch.org/all-posts/2024/4/2/ircc-confirms-priority-processing-remains-in-place-for-hong-kong-pathway-applicants>