

### **HUMAN RIGHTS SITUATION IN HONG KONG:**

Hong Kong Watch Briefing on Events: JANUARY 2024

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

### United Nations experts call for release of Jimmy Lai ahead of Universal Periodic Review of China

Ahead of the Universal Periodic Review (UPR) of China at the United Nations (UN) in Geneva, UN experts urged the Hong Kong Government to drop all charges and immediately release entrepreneur and pro-democracy campaigner Jimmy Lai.

The experts include Ms. Alice Jilly Edwards, Special Rapporteur on torture and other cruel, inhuman or degrading treatment of punishment; Ms. Irene Chan, Special Rapporteur on the protection and promotion of freedom of opinion and expression, Ms. Margaret Satterthwaite, Special Rapporteur on the Independence of Judges and Lawyers; and Mr. Clément Nyaletsossi Voule, Special Rapporteur on the rights of freedom of peaceful assembly and of association, all of the Special Procedures of the UN Human Rights Council.

The experts said, "Jimmy Lai's arrest, detention and series of criminal proceedings over the past few years appear to be directly related to his criticism of the Chinese Government and his support for democracy in Hong Kong SAR. We are alarmed by the multiple and serious violations of Jimmy Lai's freedom of expression, peaceful assembly, and association, and his right to a fair trial, including the denial of access to a lawyer of his own choosing and the handpicking of judges by the authorities. We expressed our concerns about the National Security Law before it was enacted and will continue to do so, as we believe it is not in line with international legal obligations."

Hong Kong Watch welcomed this call from the UN experts one day before the UPR of China, in which China was scrutinised for its human rights record and received recommendations for improvement from other UN Member States. This process happens every four to five years for every UN Member State.<sup>2</sup>

<sup>&</sup>lt;sup>1</sup> https://www.ohchr.org/en/press-releases/2024/01/hong-kong-sar-un-experts-urge-authorities-drop-all-charges-against-jimmy-lai <sup>2</sup>https://www.hongkongwatch.org/all-posts/2024/1/22/hong-kong-watch-welcomes-un-experts-call-for-immediate-release-of-jimmy-lai-ahea d-of-upr



# British Parliamentarians raise Jimmy Lai's case during debate on the future of human rights in Hong Kong

British Members of Parliament in the House of Commons held a Westminster Hall debate on the future of human rights in Hong Kong, initiated by Tim Loughton MP (Conservative), with Foreign, Commonwealth and Development Office (FCDO) Minister for the Indo-Pacific Anne-Marie Trevelyan responding. Hong Kong Watch patrons Catherine West MP (Shadow Minister), Alistair Carmichael MP (Chair of the All-Party Parliamentary Group on Hong Kong) and Fiona Bruce MP (the Prime Minister's Special Envoy on freedom of religion or belief) also contributed to the debate, along with Sir Iain Duncan Smith MP (Co-Chair of the Inter-Parliamentary Alliance on China), Paul Scully MP, Jim Shannon MP, Janet Daby MP, Brendan O'Hara MP and Layla Moran MP.<sup>3</sup>

The debate highlighted the trial of 76 year-old Jimmy Lai, a British citizen, and the fact that at least four British citizens have been named as either 'co-conspirators' or 'collaborators' in the case. Sir Iain Duncan Smith MP expressed concern that Luke de Pulford, Executive Director of the Inter-Parliamentary Alliance on China (IPAC), and Bill Browder, who leads the Global Magnitsky Justice Campaign, have been named as 'co-conspirators', and that Hong Kong Watch's co-founder and Chief Executive Benedict Rogers and the former British Consul-General to Hong Kong Andrew Heyn have also been named in court proceedings during the trial, and pressed the UK government to clarify whether, should Interpol come under pressure by the Chinese government to arrange the extradition of these or other individuals, the British government would refuse to cooperate in this matter.

The Parliamentarians also urged the UK government to introduce targeted Magnitsky-style sanctions against Hong Kong's Chief Executive John Lee and other officials in Beijing and Hong Kong responsible for dismantling Hong Kong's freedoms and perpetrating serious human rights violations, in a flagrant breach of the Sino-British Joint Declaration.<sup>4</sup>

#### British citizens targeted in the case of Jimmy Lai

The long-anticipated trial of Jimmy Lai opened on Monday 18 December 2023. At the start of the trial, Mr Lai pleaded not guilty to conspiring to collude with foreign forces and publishing allegedly seditious materials in his trial under Hong Kong's National Security Law.<sup>5</sup>

<sup>3</sup> https://hansard.parliament.uk/Commons/2024-01-23/debates/8AE25AAF-9A21-41B4-ADEB-042A4A0F3886/HumanRightsInHongKong
4https://www.hongkongwatch.org/all-posts/2024/1/23/mps-call-for-sanctions-on-hong-kong-officials-and-highlight-the-trial-of-jimmy-lai-in-uk-house-of-commons-debate

https://www.theguardian.com/world/2024/jan/02/jimmy-lai-trial-plea-not-guilty-hong-kong-democracy-advocate



During proceedings, the prosecution named several foreign politicians and human rights activists with whom Mr Lai had been in contact over recent years, and showed headshots of some of them. Among them are Hong Kong Watch's co-founder and Chief Executive Benedict Rogers, the Executive Director of the Inter-Parliamentary Alliance on China (IPAC) Luke de Pulford, and Bill Browder, a human rights campaigner who pioneered the introduction of Magnitsky sanctions worldwide, who all met with Foreign, Commonwealth and Development Office (FCDO) Minister for the Indo-Pacific Anne-Marie Trevelyan regarding the matter at the end of January.

In a statement, Benedict Rogers said, "This simply shows, as we have said all along, that this is a show trial and has absolutely nothing to do with genuine national security. The 'crime' Mr Lai is accused of is talking with foreign politicians and activists, including myself, and engaging in journalism – which, as the publisher of a major newspaper in Hong Kong, ought to be regarded as entirely normal legitimate activity. Furthermore, much of this activity pre-dates the National Security Law, which means the law is being applied retroactively – something the Hong Kong government gave assurances would not happen when it was imposed on 1 July 2020. Mr Lai's trial illustrates just how dramatically and extensively Hong Kong's basic freedoms and the rule of law have been dismantled."

Hong Kong Watch continues to urge the UK Government to issue a public statement condemning the targeting of British citizens in Mr Lai's case.

# Hong Kong Watch Patrons urge UK Foreign Secretary to sanction John Lee in response to developments in Jimmy Lai's trial

Hong Kong Watch Patrons, including the former Foreign Secretary Sir Malcolm Rifkind KC, Baroness Kennedy of The Shaws KC, Lord Alton of Liverpool, Sarah Champion MP, Alistair Carmichael MP and Sir Geoffrey Nice KC, wrote a letter to British Foreign Secretary Lord Cameron urging him to issue a public statement in response to the Hong Kong Government targeting human rights activists and British citizens Benedict Rogers, Luke de Pulford and Bill Browder by listing them as collaborators or co-conspirators in the case of British citizen Jimmy Lai.

The Patrons also pressed the UK Government to implement Magnitsky-style sanctions on Hong Kong Chief Executive John Lee, including asset freezes and a travel ban, given John Lee's continued involvement in activities which amount to a serious violation of the right not to be subjected to torture and other cruel, inhuman or degrading treatment and punishment.<sup>7</sup>

<sup>6</sup> https://www.hongkongwatch.org/all-posts/2024/2/1/hong-kong-watch-responds-to-latest-developments-in-trial-of-jimmy-lai 2https://www.hongkongwatch.org/all-posts/2024/4-1-2024/hong-kong-watch-patrons-urge-uk-foreign-secretary-to-sanction-hong-kong-chief-executive-john-lee



In May 2023, Hong Kong Watch made a formal sanctions submission to FCDO, outlining the case for John Lee to be sanctioned under the Global Human Rights Sanctions Regime. The submission was accompanied by a cover letter from Baroness Helena Kennedy, KC and Sir Geoffrey Nice, KC, which has yet to receive an official FCDO response.<sup>8</sup>

## Hong Kong court overturns Chow Hang-tung's acquittal for Tiananmen Square massacre vigil

A Hong Kong court overturned Hong Kong barrister Chow Hang-tung's acquittal over inciting people to unlawfully participate in a Tiananmen Square massacre vigil in 2021. The court argued that Chow's acquittal would question the prohibition's validity in court proceedings, and Judge Johnson Lam said Chow could pursue judicial review rather than acquittal.<sup>9</sup>

However, denying Chow's acquittal clearly shows the further deterioration of the independence of the judiciary in Hong Kong, where legal proceedings are without challenge and do not follow standard court procedures under the traditional rule of law.

Chow was initially charged with allegedly inciting others to participate in an unauthorised assembly for a Tiananmen Square Massacre vigil in 2021, and has been remanded in custody since September 2021. If convicted of "inciting subversion of state power," she faces potential 10 years' imprisonment. Chow's trial is expected to begin in late 2024.<sup>10</sup>

#### Hong Kong national security police target families of overseas Hong Kong activists

The Hong Kong national security police raided the home of Simon Cheng Man-kit's parents and sisters and took them away for questioning. The police asked whether they were in contact with Mr Cheng or had offered him financial support, and they were later released without arrest.

Simon Cheng, 33, was charged in December 2023 with alleged incitement to secession and collusion between August 2020 and June 2022. Mr Cheng is based in the UK and founded Hongkongers in Britain, the largest UK-wide Hong Kong diaspora organisation. Mr Cheng's alleged offences are part of the latest round of arrest warrants with HK\$1 million (£101,118) bounties that were issued against five overseas Hong Kongers who now live and advocate for democracy in the UK and US last month: Simon Cheng, Joey Siu, Frances Hui, Johnny Fok

<sup>§</sup>https://www.hongkongwatch.org/all-posts/2023/5/30/hong-kong-watch-submits-a-sanctions-submission-to-uk-government-on-john-lee-to-mark-the-one-year-anniversary-of-his-appointment-as-hong-kong-chief-executive

<sup>&</sup>lt;sup>9</sup>https://hongkongfp.com/2024/01/25/breaking-top-hong-kong-court-overturns-tiananmen-activist-chow-hang-tungs-acquittal-over-2021-vigi

https://www.hongkongwatch.org/all-posts/2023/1/26/political-prisoner-trial-developments-in-hong-kong-this-week-22-january-26-january



and Tony Choi. 11 Hong Kong Watch condemned these arrest warrants and led a joint letter with more than 80 Hong Kong civil society and human rights organisations around the world calling for government action in response. 12

The targeting of Mr Cheng's family members also follows the questioning of activist Agnes Chow-ting's family members in December 2023, after she publicly announced that she had fled to Canada for study and would therefore not complete her bail conditions. <sup>13</sup> In December 2023, the Hong Kong national security police also searched the family home and questioned the mother of US-based activist Frances Hui. <sup>14</sup>

The Hong Kong authorities first issued arrest warrants with bounties for eight exiled Hong Kong activists in the UK, US and Australia in July 2023: Nathan Law, Christopher Mung, Finn Lau, Dennis Kwok, Anna Kwok, Elmer Yuen, Ted Hui and Kevin Yam. Between July 2023 and September 2023, the authorities also questioned the family members of Nathan Law, Christopher Mung, Dennis Kwok, Elmer Yuen, Anna Kwok and Ted Hui. Hong Kong Watch continues to condemn the targeting of these overseas Hong Kong pro-democracy activists and their families in Hong Kong.

#### Hong Kong man arrested for making allegedly seditious comments on online forum

The Hong Kong national security police arrested 35-year-old Tsang Kwok-hei for making allegedly seditious comments on the online forum LIHKG. The police claimed his posts promoted hatred towards the Government of the People's Republic of China (PRC) and the Hong Kong Government. The court order read that Tsang's posts "intended to counsel disobedience to law or any lawful order." <sup>17</sup>

Tsang appeared at the West Kowloon Magistrates Court to face the charge, after police searched Tsang's home and seized the devices suspected of being used to publish the online posts. <sup>18</sup> Tsang's case clearly shows the Hong Kong authorities' heightened targeting of Hong Kongers through the censorship of cyberspace.

Hhttps://www.hongkongwatch.org/all-posts/2023/12/14/hong-kong-watch-condemns-targeting-of-five-exiled-hong-kong-pro-democracy-activists

<sup>12/</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-pro-democracy-activists

https://hongkongfp.com/2023/12/29/parents-of-hong-kong-self-exiled-activist-agnes-chow-questioned-by-police-local-media/

<sup>1</sup>shttps://hongkongfp.com/2024/01/11/hong-kong-police-take-mother-of-wanted-us-based-activist-frances-hui-away-for-questioning-reports/15https://www.hongkongwatch.org/all-posts/2023/7/3/hkw-condemns-the-hk-national-security-polices-targeting-of-pro-democracy-activists-overseas

<sup>16</sup> https://www.hongkongwatch.org/all-posts/2023/7/11/hong-kong-watch-condemns-escalated-threats-against-hong-kong-activists

<sup>17</sup> https://hongkongfp.com/2024/01/19/hong-kong-national-security-police-arrest-man-over-seditious-online-forum-posts/

<sup>18</sup> https://www.hongkongwatch.org/all-posts/2023/1/19/political-prisoner-trial-developments-in-hong-kong-this-week-january-15-january-19



#### Hong Kong man arrested for wearing allegedly seditious shirt with protest slogan

Chu Kai-poon, a 26-year-old Hong Kong man, was sentenced to three months in jail under the colonial-era sedition law for wearing an allegedly seditious shirt with the protest slogan 'Liberate Hong Kong, revolution of our times' in the airport. Appearing at the West Kowloon Law Courts Building, Mr Chu pleaded guilty after wearing the shirt in public and the police found three flags with the same slogan in his possession.<sup>19</sup>

Chief Magistrate Victor So, a designated national security judge, said Mr Chu's offence was less serious than other sedition cases as it involved a few items in a relatively short time period. Mr Chu was remanded in custody after first appearing at a Hong Kong court on 30 November 2023.

Mr Chu's case demonstrates the increasing crackdown on the rule of law in Hong Kong, as Mr Chu is now in jail for simply wearing an article of clothing of his choice for a reported five hours and 23 minutes.<sup>20</sup>

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

## 18 UN Member States make recommendations to China on Hong Kong's human rights violations at UPR

This month at the UN in Geneva, China's human rights record was reviewed by other UN Member States, which included a review of human rights and the rule of law in Hong Kong.

Hong Kong Watch welcomes the Recommendations that called attention to the deteriorating situation in Hong Kong, including the UK recommending to "repeal the law on Safeguarding National Security in Hong Kong as recommended by the UN and cease prosecutions including of Jimmy Lai"; US recommending to "repeal vague national security, counter-espionage, counter-terrorism, and sedition laws, including the National Security Law in Hong Kong"; Canada recommending to "repeal the current National Security Law in Hong Kong and discontinue all cases against individuals charged for exercising their rights and freedoms"; Germany recommending to "restore full respect for the rule of law and civil society and political rights in Hong Kong"; and France recommending "ensure freedom of expression online and in Hong Kong".<sup>21</sup>

 $<sup>^{19} \, \</sup>underline{\text{https://hongkongfp.com/2024/01/10/man-jailed-for-3-months-over-wearing-seditious-shirt-with-protest-slogan-at-hong-kong-airport/2024/01/10/man-jailed-for-3-months-over-wearing-seditious-shirt-with-protest-slogan-at-hong-kong-airport/2024/01/10/man-jailed-for-3-months-over-wearing-seditious-shirt-with-protest-slogan-at-hong-kong-airport/2024/01/10/man-jailed-for-3-months-over-wearing-seditious-shirt-with-protest-slogan-at-hong-kong-airport/2024/01/10/man-jailed-for-3-months-over-wearing-seditious-shirt-with-protest-slogan-at-hong-kong-airport/2024/01/10/man-jailed-for-3-months-over-wearing-seditious-shirt-with-protest-slogan-at-hong-kong-airport/2024/01/10/man-jailed-for-3-months-over-wearing-seditious-shirt-with-protest-slogan-at-hong-kong-airport/2024/01/10/man-jailed-for-3-months-over-wearing-seditious-shirt-with-protest-slogan-at-hong-kong-airport/2024/01/10/man-jailed-for-3-months-over-wearing-seditious-shirt-with-protest-slogan-airport/2024/01/10/man-jailed-for-3-months-over-wearing-seditious-shirt-with-protest-slogan-airport/2024/01/10/man-jailed-for-3-months-over-wearing-shirt-with-protest-slogan-air-protest-slogan$ 

https://www.hongkongwatch.org/all-posts/2023/1/12/political-prisoner-trial-developments-in-hong-kong-this-week-8-january-12-january-



Hong Kong Watch made three joint submissions to the UN UPR of China, focusing on human rights violations related to the 2019 pro-democracy protests, the Beijing-imposed National Security Law, and political prisoners, including Jimmy Lai.<sup>22</sup>

### UN publishes Advance Questions in preparation for UPR of China

In preparation for the UPR of China, the Office of the United Nations High Commissioner for Human Rights (OHCHR) published Advance Questions from UN Member States.<sup>23</sup> Advance Questions allow UN Member States making recommendations, in this case to China, to inquire about the implementation of previous recommendations and receive information on a specific human rights issue in the country being reviewed.

Hong Kong was mentioned 25 times in the Advance Questions for the UPR of China. This includes questions regarding the repeal of the National Security Law from the Netherlands, Switzerland, the United Kingdom, and the United States. Belgium and Australia also asked questions about Hong Kong.

The United States specifically asked questions about transnational repression. In one question, the US said: "Hong Kong's National Security Law (NSL) does not apply in the United States, nor does it apply to persons on US soil. What is Hong Kong's justification for violating its commitments under the ICCPR and the Basic Law of Hong Kong and violating other states' sovereignty by issuing cash rewards that unjustly target 13 human rights advocates who reside outside of Hong Kong, including a US citizen, pursuant to attempts to apply its NSL extraterritorially?"<sup>24</sup> This is an important question concerning the 13 total arrest warrants and bounties issued by the Hong Kong authorities.

Hong Kong Watch is grateful to all the UN Member States that submitted Advance Questions concerning Beijing's human rights violations in Hong Kong and abroad.

### UN publishes NGO submissions in advance of UPR of China

In advance of the UPR of China, the OHCHR published non-governmental organisations' (NGO) submissions.<sup>25</sup> Hong Kong Watch made three joint submissions to the UN UPR of the PRC, which are labelled JS19, JS20 and JS34 on the UN OHCHR website.<sup>26</sup>

<sup>&</sup>lt;sup>22</sup> https://www.hongkongwatch.org/all-posts/2023/7/18/hong-kong-watch-makes-submissions-for-chinas-un-universal-periodic-review

https://www.ohchr.org/en/hr-bodies/upr/cn-stakeholders-info-s45

 $<sup>{}^{24}\</sup>underline{\text{https://www.hongkongwatch.org/all-posts/2024/1/19/hong-kong-watch-welcomes-publication-of-advance-questions-ahead-of-upr-on-china}$ 

<sup>25</sup> https://www.ohchr.org/en/hr-bodies/upr/cn-stakeholders-info-s45

https://www.hongkongwatch.org/all-posts/2023/7/18/hong-kong-watch-makes-submissions-for-chinas-un-universal-periodic-review



Hong Kong Watch welcomes the fact that the NGO submissions were uploaded ahead of the UPR process and none were removed, as there had been concerns that there could be a repeat of the incident where NGO submissions were removed at the previous UPR of China in 2018.<sup>27</sup> However, we note and continue to raise concern that the UN OHCHR's conclusion of crimes against humanity in its 2022 report was omitted from the preparatory documents for China's UPR published in December 2023.<sup>28</sup>

### Hong Kong Chief Secretary says Article 23 will be completed in 2024

In a video to mark the new year, Hong Kong Chief Executive John Lee praised the Hong Kong Government for successfully bringing Hong Kong out of the pandemic in 2023 and implementing the policies laid out in his Policy Address in 2022.<sup>29</sup> In 2024, John Lee said the Government will focus on boosting the economy and improving people's lives, stating that Hong Kong would be "better than ever, and become more dazzling on the international stage."

Hong Kong's number two official, Chief Secretary Eric Chan, said that safeguarding national security will continue to be a priority this year. Mr Chan shared that Article 23, Hong Kong's own national security law, would be completed in 2024. He also added that Article 23 would complement the Beijing-imposed National Security Law to punish activities that allegedly endanger national security.<sup>30</sup>

Hong Kong Watch reported in October 2023 on John Lee's announcement that Article 23 would be introduced in 2024, warning that it would target foreign businesses, the freedom of expression and the last vestiges of independent media in Hong Kong.<sup>31</sup> It would also endanger Hong Kong's more than 1,000 political prisoners by making them susceptible to further and longer sentences while threatening to imprison other Hong Kongers for any act the Hong Kong authorities deem to be soft resistance to their rule.<sup>32</sup>

#### Hong Kong Justice Department deletes new online database of national security cases

The Hong Kong Justice Department deleted a database of national security cases from its website days after it was published, without explanation. The index included case summaries for 106 national security cases since Beijing imposed the National Security Law in July 2020.

<sup>&</sup>lt;sup>27</sup>https://hongkongfp.com/2018/11/06/political-censorship-united-nations-removes-submissions-intl-civil-groups-chinas-human-rights-revie

W/
28 https://news.un.org/en/story/2022/08/1125932

<sup>&</sup>lt;sup>29</sup> https://hongkongfp.com/hong-kong-policy-address-2022/

<sup>30</sup> https://hongkongfp.com/2024/01/02/economic-growth-national-security-are-hong-kong-government-priorities-for-2024-top-officials-say/ <sup>31</sup>https://www.hongkongwatch.org/all-posts/2023/10/25/planned-article-23-security-legislation-will-target-foreign-businesses-independent-m edia-and-criminalise-freedom-of-expression

https://www.hongkongwatch.org/all-posts/2023/1/political-prisoner-trial-developments-in-hong-kong-this-week-1-january-5-january



The database was released at the end of December, when the Justice Department said in a statement that the case summaries were to "serve as a convenient and practical tool for promoting national security education and conducting legal research on the national security laws." When asked for an explanation of why the database was deleted, the Justice Department said, "Content of relevant webpages will be adjusted and amended having regard to circumstances."<sup>33</sup>

The removal of this database increases the lack of access to information in Hong Kong as well as transparency on the part of the Hong Kong Government, making it harder to keep the Hong Kong Government accountable for their ongoing destruction of the rule of law in the city.<sup>34</sup>

#### STATE SECURITY AND ECONOMY

Hong Kong Watch releases statement on the Special Committee on Canada–People's Republic of China report on the exposure of Canadian investment funds to human rights violations in the PRC

In 2022, the Special Committee on Canada–People's Republic of China conducted a series of hearings to investigate the exposure of Canadian investment funds to human rights violations in the People's Republic of China. On 13 December 2023, the Committee presented an interim report to the House, which reviewed the findings and recommendations and proposed further actions based on reports by Hong Kong Watch.

While Hong Kong Watch welcomes the report and the withdrawal of Canadian pension funds from the PRC, we believe that the report lacks strong recommendations to effectively address Canadian investment in human rights violations. The report acknowledges the measures recommended by Hong Kong Watch, such as barring investment in companies associated with human rights abuse and incorporating the US' entities list and sanctions policy. However, the recommendations fall short of calling on governments to prohibit investment and instead focus on studying how to compile and maintain a list of 'unsuitable' companies.

Hong Kong Watch suggests that the government of Canada should coordinate and rationalise existing entities lists and sanctions regimes, such as those included in the United States government's Uyghur Forced Labor Prevention Act (UFLPA) and Executive Order 14032. This would ensure that prohibitions on imports and investment are harmonised and enforced by all relevant parties. In cases where a list of banned entities does not exist, the government should consider adopting and adapting the existing lists from allied countries.

 $<sup>\</sup>frac{33}{\text{https://hongkongfp.com/2024/01/02/in-u-turn-hong-kong-department-of-justice-deletes-national-security-case-index-from-website/linear$ 

 $<sup>\</sup>overline{\text{https://www.hongkongwatch.org/all-posts/2023/1/political-prisoner-trial-developments-in-hong-kong-this-week-1-january-5-january-1}$ 



Additionally, financial regulatory frameworks should adhere to the UN Guiding Principles on Business and Human Rights (UNGPs) and impose enhanced transparency and due diligence requirements for investment in PRC companies with a high risk of forced labour violations.<sup>35</sup>

#### OTHER DEVELOPMENTS

## Hong Kong Watch publishes briefing exposing the risks of Huawei and BYD in the EU

Hong Kong Watch published a new briefing, titled, *Huawei and BYD Meet Hong Kong: Economic, Ethical, and Security Risks to the EU*.<sup>36</sup> The briefing follows Build Your Dreams (BYD) and Huawei separately announcing the establishment of their first European factories in Hungary and France, respectively, in November<sup>37</sup> and December 2023.<sup>38</sup> These announcements coincided with the EU-China summit, the European Parliament's adoption of the Critical Raw Materials Act (CRMA), and the European Commission launching an anti-subsidy probe on cheap Chinese battery electric vehicles (EVs) in October 2023.

The briefing exposes the risks of Huawei and BYD establishing factories in the EU, given their extensive links to the Chinese Communist Party (CCP) and the Government of the PRC. Huawei and BYD are also both strongly connected to Hong Kong, where basic rights and freedoms, including the rule of law, are quickly deteriorating.

Given the threat posed by Huawei and BYD to the EU, Hong Kong Watch proposed a series of recommendations to the European Union's Institutions, including: the European Commission should conduct two separate thorough and independent reviews; the European Parliament should hold two separate hearings on the national security risks posed by Huawei and BYD; and the European Parliament and European Council should adopt the European Commission's proposal of 'Prohibiting products made with forced labour on the Union market'<sup>39</sup> to effectively ban Huawei and BYD products, and factories, from entering the EU market due to their connection to forced labour in Xinjiang.<sup>40</sup>

<sup>35/</sup>https://www.hongkongwatch.org/all-posts/2024/1/17/hong-kong-watch-statement-on-the-special-committee-on-canadapeoples-republic-of-china-report-on-the-exposure-of-canadap-investment-funds-to-human-rights-violations-in-the-pre-

china-report-on-the-exposure-of-canadian-investment-funds-to-human-rights-violations-in-the-prc

36 https://static1.squarespace.com/static/58ecfa82e3df284d3a13dd41/t/65ad4972ac20370d8ccb21ce/1705855347305/Huawei+and+BYD+Meet+Hong+Kong=+Economic%2C+Ethical%2C+and+Security+Risks+to+the+EU+%283%29.pdf

<sup>37</sup> https://www.reuters.com/business/autos-transportation/china-ev-maker-byd-build-first-europe-plant-hungary-fas-2023-11-04/

https://oeil.secure.europarl.europa.eu/oeil/popups/ficheprocedure.do?lang=en&reference=2022/0269(COD)

<sup>40</sup>https://www.hongkongwatch.org/all-posts/2024/1/18/hong-kong-watch-publishes-briefing-exposing-the-risks-of-huawei-and-byd-to-the-eu



## Hong Kong Watch calls for action as Hong Kong Secretary for Education arrives in the UK

This month, the Hong Kong Secretary of Education Choi Yuk-lin travelled to the UK and Finland to meet with education experts and Hong Kong students. Ms Choi's visit marks the continuation of official visits between the UK and Hong Kong despite the imposition of the NSL in Hong Kong, which the UK government has recognised as a clear breach of the 1984 Sino-British Joint Declaration.<sup>41</sup>

Ms Choi was expected to speak on a panel at the British Educational Training & Technology Show in London, which was cancelled following pressure from Hong Kong Watch and other human rights organisations, as well as the potential for protest. Hong Kong Watch welcomes this cancellation, while noting concern regarding Ms Choi's meeting with UK Education Minister Damian Hinds, given that there were no grounds for Ms Choi to participate in the panel and meet with ministers or other groups as she continues to dismantle academic freedoms in Hong Kong and condone the targeting of Hong Kongers abroad, including those on the British National (Overseas) scheme in the UK.<sup>42</sup>

## Hong Kong Watch hosts seminar on election and voting with local Councillors in Wimbledon

As part of Hong Kong Watch's political and civic engagement series, Hong Kong Watch hosted an event in Wimbledon to encourage local BN(O) Hong Kongers to register to vote and to engage with the upcoming elections in the UK, both mayoral and General.

Participants heard from Cllr Eleanor Stringer, Labour Councillor for Wandle and Deputy Leader of the Council, Cllr Paul Kohler, Liberal Democrat Councillor for Wimbledon Town and Dundonald, and Cllr Nick McLean, Conservative Councillor for Cannon Hill and Leader of the Conservative Group at Merton Council.

The seminar, moderated by Hong Kong Watch Chief Executive Benedict Rogers, invited the Councillors to share their experiences of local government, explain the roles and responsibilities of councillors, and outline the ways in which councillors, MPs, and the Mayor's Office work together to deliver for their constituencies. Hong Kongers also asked about privacy and anonymity in the UK electoral voting system, the funding of local councils, and the differences in core values between the three major parties.<sup>43</sup>

<sup>&</sup>lt;sup>41</sup> https://www.hongkongwatch.org/all-posts/2024/1/21/hong-kong-watch-calls-for-action-as-hk-secretary-for-education-arrives-in-the-uk

<sup>42</sup> https://www.voacantonese.com/a/kc-talk-by-hong-kong-education-secretary-in-uk-cancelled-as-hongkongers-plan-protest-20240123-ry/74

53698 html

<sup>43</sup> https://www.hongkongwatch.org/all-posts/2024/1/12/hong-kong-watch-hosts-seminar-on-election-and-voting-with-local-councillors-in-wimbledon