

Joint Statement from Civil Society Groups on the Hong Kong Government's Consultation for Article 23 Legislation

We, the undersigned, representing civil society and human rights organizations across the world, condemn the Hong Kong government's plans to introduce domestic security legislation under Article 23 of the Basic Law.

The Hong Kong government [formally launched](#) the legislative process with a four-week "public consultation" on 30 January 2024. The law is set to prohibit seven types of offenses, including treason, espionage, and theft of state secrets. Many of these proposed provisions are vague and criminalize people's peaceful exercises of human rights, including the rights to freedom of association, assembly, expression and the press. The crime of "seditious intention," for example, proposes to punish those who "induce...disaffection against" against the Chinese government and "to incite any other person to do an act that does not comply with the law of the HKSAR," which would include any peaceful criticism against the government.

The proposed law includes a number of procedural changes that will dramatically undermine the Hong Kong people's due process and fair trial rights. The consultation paper advocates for extending police detention without charge, preventing contact between detainees and lawyers of their choice, and for denying those convicted under national security offenses their eligibility to up to a third reduction in their sentences for good behavior. It also advocates, without specifics, for "eliminating certain procedures" to "speed up" national security trials.

The introduction of Article 23 will bring further devastating consequences for human rights beyond those brought by the National Security Law when it was imposed by Beijing in 2020. These human rights guarantees—long protected in Hong Kong—are enshrined in Hong Kong's de facto constitution, the Basic Law.

They are also enshrined in the International Covenant on Civil and Political Rights (ICCPR), which is incorporated into Hong Kong's legal framework via the Basic Law and expressed in the Bill of Rights Ordinance, the International Covenant on Economic, Social and Cultural Rights (ICESCR), and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

The National Security Law has been widely criticized, including by the UN Human Rights Committee which urged the authorities to refrain from its use and recommended its repeal. The UN Committee on Economic, Social, and Cultural Rights and the UN Committee on the Elimination of Discrimination against Women made similar recommendations. At China's Universal Periodic Review on 23 January 2024, [18 UN Member States](#) raised concerns about human rights in Hong Kong, and many cited the National Security Law and echoed calls for its repeal. To comply with its international human rights obligations, Hong Kong should repeal the National Security Law.

The last time the authorities attempted to introduce Article 23 in 2003, over 500,000 Hong Kongers took to the streets in protests with the plans abandoned. But now they can no longer speak out against it.

Foreign governments' responses so far have been muted: Except for a few media quotes, most governments have yet to make formal and public statements opposing the law. This has allowed the Hong Kong government to [claim](#) that "None of the consuls general or business chambers consulted by the Hong Kong government over the coming domestic national security law opposed the legislation despite having areas of concern."

We urge concerned governments to, individually or together with like-minded allies, publicly oppose the introduction of Article 23, and communicate these concerns directly to the Chinese and Hong Kong governments.

They should also hold Hong Kong officials accountable for the growing human rights violations in the city, by imposing targeted sanctions on officials responsible for introducing Article 23. The United States government was the only one that imposed sanctions on Chinese and Hong Kong officials following the imposition of the National Security Law; new sanctions by the U.S. and other governments on Hong Kong are long-overdue. They need to send a clear and strong message to the Chinese government that repression has a cost.

They should also introduce measures to protect the rights and freedoms of Hong Kong people and activists in exile from Beijing's long-arm of transnational repression, including taking proactive measures to hold those responsible for intimidating the Hong Kong diaspora abroad.

We also urge foreign chambers of commerce, and international companies based in the city, to express concerns to the authorities and re-evaluate their business risks and complicity in these human rights violations.

Signatories (in alphabetical order)

1. ACTION Free Hong Kong Montreal
2. AfricaHongKongFrance AHKF
3. Asia Democracy Network (ADN)
4. Asian Lawyers Network (ALN)
5. Assembly of Citizens' Representatives, Hong Kong
6. Association of Hong Kongers in Western Australia
7. Aus-Hong Kong Connex Inc
8. Australia Capital Hong Kong Association
9. Australia Hong Kong Link
10. Blossom Community HK
11. Bonham Tree Aid
12. Britons in Hong Kong
13. Campaign For Uyghurs
14. Canada-Hong Kong Link
15. Canadian Friends of Hong Kong
16. Center for Alliance of Labor and Human Rights (CENTRAL), Cambodia
17. Center For Uyghur Studies
18. China Action
19. China Against the Death Penalty
20. China Aid Association
21. Chinese Human Rights Defenders (CHRD)
22. Covenants Watch
23. Doublethink Lab
24. FIDH - International Federation for Human Rights
25. Finnish Hongkongers
26. Free Tibet
27. Freedom House
28. Freiheit für Hongkong e.V.
29. Friends of Falun Gong
30. Germany Stands with Hong Kong
31. Ghost Island Media 鬼島之音
32. Halifax-Hong Kong Link
33. HKersUnited
34. Hong Kong Aid 港援
35. Hong Kong Centre for Human Rights
36. Hong Kong Committee in Norway
37. Hong Kong Democracy Council
38. Hong Kong International Alliance Brisbane (HKIA)
39. Hong Kong Labour Rights Monitor
40. Hong Kong Media Overseas
41. Hong Kong Watch
42. Hong Kongers in San Diego
43. Hongkongers in Britain (HKB)

44. Hongkongers in Deutschland e .V.
45. HongKongers in Leeds
46. Hong Kong Outlanders in Taiwan
47. Human Rights Action Group
48. Human Rights Foundation
49. Human Rights in China
50. Human Rights Watch
51. Humanitarian China
52. IGFM, Internationale Gesellschaft für Menschenrechte
53. Index on Censorship
54. Innovation for Change-East Asia (I4C)
55. Institute For China's Democratic Transition
56. International Campaign for Tibet
57. International Tibet Network
58. Japan Hong Kong Democracy Alliance
59. Lady Liberty HK
60. Lamp of Liberty
61. Le Comité pour la Liberté à Hong-Kong
62. McMaster Stands With Hong Kong
63. New School for Democracy Association
64. New Yorkers Supporting Hong Kong
65. NGO DEI
66. Northern California Hong Kong Club
67. Re-Water CIC
68. Safeguard Defenders
69. Scottish Hongkongers
70. Students for Falun Gong
71. Taiwan Association for Human Rights (TAHR)
72. Texans Supporting Hong Kong (TX4HK)
73. The 29 Principles
74. The Committee for Freedom in Hong Kong Foundation
75. The Hong Kong Scots
76. Tibet Initiative Deutschland e.V.
77. Tibet Justice Center
78. Tibetan Community in Britain
79. Toronto Association for Democracy in China
80. Toronto Hong Kongers Action Group (THKAG)
81. Uyghur Academy International
82. Uyghur Human Rights Project (UHRP)
83. Uyghur Rights Advocacy Project (URAP)
84. Victoria BC Hong Kongers
85. Victoria Hongkongers Association (AU) Inc. (VHKA)
86. Washingtonians Supporting Hong Kong (DC4HK)
87. Winnipeg Hong Kong Concern (WPGHKC)

88. World Uyghur Congress