

Joint statement from Hong Kong civil society organisations on Olaf Scholz's visit to Beijing

We, the undersigned, representing Hong Kong civil society organisations across the EU, urge German Chancellor Olaf 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.

Today and tomorrow, Chancellor Olaf Scholz will visit Beijing with a business delegation. Chancellor Scholz last visited China in November 2022, becoming the first Group of Seven (G7) leader to meet with Chinese leader 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.

Chancellor Scholz's visit follows the passage of the Safeguarding National Security Bill in Hong Kong on 19 March 2024, which was enacted under Article 23 of Hong Kong's de facto constitution, the Basic Law. Article 23 prohibits seven types of activities which the Hong Kong officials intend to declare 'offences', under vague and expansive provisions which criminalise the peaceful exercise of rights and freedoms which are protected under international law. Article 23 undermines due process and fair trial rights and violates Hong Kong's obligations under international human rights law, jeopardising Hong Kong's role as an open international city.

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. This will further violate international human rights treaties which Hong Kong is a party to and which it has incorporated into the Basic Law, including the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

We urge Chancellor Scholz, individually and with business representatives, to publicly oppose the implementation of Article 23 and to communicate these concerns directly with the Government of the PRC in defence of international human rights laws and obligations. Chancellor Scholz should uphold the objective stated in Germany's Strategy on China published in July 2023, which requires that he "must not remain silent on grave violations of human rights or breaches of the rules-based international order".

Chancellor Scholz should send a clear and strong message to the Government of the PRC that human rights violations have a cost. He should also introduce measures to protect the rights and freedoms of Hong Kong people in exile from Beijing's long-arm of transnational repression, including introducing a lifeboat scheme to make it easier for Hong Kongers in need of a lifeline to claim asylum in Germany.

The German Government should also review the status, privileges, and immunities of the Hong Kong Economic and Trade Office (HKETO) in Berlin. The 14 HKETOs around the world maintain similar privileges and immunities to diplomatic embassies and consulates, even when the host country also has a PRC embassy and consulates, and Hong Kong has lost its high degree of autonomy. The status, privileges, and immunities of this HKETO should be reviewed to prevent the Chinese Communist Party from having additional levers to further their agenda abroad, especially as it continues to engage in egregious human rights abuses in Hong Kong and other regions worldwide.

We also urge German business representatives to express these concerns to the authorities and re-evaluate their business risks and complicity in these human rights violations.

Signatories (in alphabetical order)

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