

Rights and Freedoms in Hong Kong

The UK's Permanent Representative in Geneva, Julian Braithwaite hosted a virtual side event today on Rights and Freedoms in Hong Kong during the 45th session of the Human Rights Council. He was joined by Professor Zeid Ra'ad Al Hussein (Professor, University of Pennsylvania and former UN High Commissioner for Human Rights), Dr Sophie Richardson (China Director for Human Rights Watch) and Professor Steve Tsang (Director of the SOAS China Institute).

The event was an important opportunity to:

- demonstrate the international community's continued focus on Hong Kong;
- provide an update on how the Hong Kong National Security Law is a breach of China's international obligations; and
- raise awareness of risks to watch in Hong Kong in relation to the National Security Law, and encourage ongoing attention at the UN (including through the Human Rights Council).

The imposition of the National Security Law by Beijing on Hong Kong constitutes a clear and serious breach of the Sino-British Joint Declaration. It violates the high degree of autonomy of executive and legislative powers and independent judicial authority, provided for in the Joint Declaration.

During today's event, Professor Steve Tsang, explaining the political and legal background, said, "It is one thing to say that the Chinese government has the right to introduce a National Security Law, it is a very different matter when it is being done clearly not in accord with the constitutional requirements in Hong Kong."

Dr Sophie Richardson explained that there was a worrying trend in mainland China when it came to the protection of individuals' rights – something that Human Rights Watch continued to monitor. She expressed concern that the National Security Law may have negative implications on Hong Kong's legal system.

Professor Zeid Raad Al-Hussein, referring to the relationship between China and the Human Rights Council said, "China should not be treated in any exceptional way. All states need to account for their actions. If they are comfortable that they are doing the right thing, then grant an invitation for Special Procedures to visit; allow unfettered access to all parts of China."

As the UK Prime Minister has said, Hong Kong succeeded for so many years because its people have been free, living under the rule of law, able to debate and share new ideas, expressing themselves as they wish. However, over the past 16 months, the situation in Hong Kong has been of intense concern.

Ambassador Braithwaite stressed that the UK was particularly concerned by the potentially wide-ranging ability of the mainland authorities to take

jurisdiction over certain cases, without any independent oversight, and to try those cases in the Chinese courts.

The legislation contains a number of other measures that directly threaten the freedoms and rights protected by the Joint Declaration. The UK and others in the international community are watching implementation extremely closely, and the formal meetings of the Human Rights Council are an important venue for drawing attention to these concerns.