

Hong Kong 2024 Human Rights Report

Executive Summary

The human rights situation deteriorated in Hong Kong, a Special Administrative Region of the People's Republic of China, as the regional and central governments further dismantled Hong Kong's political freedoms and autonomy during the year.

Significant human rights issues included credible reports of: arbitrary arrest and detention; transnational repression against individuals outside of Hong Kong; serious restrictions on freedom of expression and media freedom, including unjustified arrests or prosecutions of journalists and censorship; trafficking in persons; and significant restrictions on workers' freedom of association, including coercive actions against independent trade unions and arrests of labor activists.

The government took few credible steps to identify and punish officials who committed human rights abuses.

Section 1. Life

a. Extrajudicial Killings

There were no reports the Special Administrative Region (SAR) government

or its agents committed arbitrary or unlawful killings during the year.

b. Coercion in Population Control

There were no reports of coerced abortion or involuntary sterilization by government authorities.

Section 2. Liberty

a. Freedom of the Press

Despite provisions of the Basic Law and government claims, the People's Republic of China (PRC) and SAR governments significantly encroached upon freedom of expression. The SAR government continued to prosecute individuals under the National Security Law (NSL), colonial-era sedition legislation, the Safeguarding National Security Ordinance (SNSO) enacted in March, and other laws for engaging in peaceful political expression.

The law restricted the ability of individuals to criticize the government publicly without reprisal. SAR authorities arrested and prosecuted individuals for speech critical of the SAR or central government, which it characterized as seditious, "inciting hatred against the government," or "promoting feelings of ill will or enmity between different classes."

The SNSO, which explicitly made certain, vaguely defined speech an offense, raised the maximum penalty for sedition from two years in prison to seven

years, or 10 years if offenders were found to have colluded with an “external force” in the course of committing the crime. On September 17, a court sentenced Chu Kai-pong to 14 months in prison for wearing a T-shirt with the slogan “Liberate Hong Kong, revolution of our times” – a popular slogan among prodemocracy protests in 2019. This was one of the first convictions under the newly enacted SNSO.

Authorities also prosecuted individuals for speech alleged to promote subversion or secession in violation of the NSL. Prosecutors argued in multiple court hearings that the phrase “Liberate Hong Kong, revolution of our times,” contained an inherent meaning of support for independence, a change in the SAR’s constitutional status, or both. In May, national security police arrested eight individuals for organizing a vigil to remember the victims of the Tiananmen Square Massacre, including detained prodemocracy activist Chow Hang-tung and her mother, the first apprehensions under the new SNSO. The government accused them of making use of an “upcoming sensitive date” to incite hatred against the PRC and SAR governments. Secretary for Security Chris Tang later told media the arrests were in connection with a United Kingdom (UK)-based social media group that supported Chow, detained under the NSL since 2021. All arrestees were granted bail except Chow, who remained detained awaiting the start of her NSL trial, scheduled for November 2025.

The law prohibited inciting others not to vote in elections or to cast blank

ballots, with penalties of up to three years' imprisonment and a fine. Legal experts described the legislation as disproportionate and not in line with common legal norms that criminalized incitement only when the behavior incited was itself illegal.

Publicly and intentionally insulting or desecrating the flags or anthems of the PRC or SAR was a crime.

The government restricted freedom of speech in academic and cultural settings on political grounds. National security was a part of the SAR government-approved curriculum at all levels. All public schools had to limit political expression and activities on school campuses and submit periodic reports regarding their implementation of national security education.

Activists decried the guidelines for restricting freedom of expression on campuses. Some Catholic and other Christian observers expressed concerns that the mandatory national security curriculum and removal of books from libraries limited freedom of expression at private religious schools.

Academics reported Beijing-controlled media outlets attacked and harassed academic personnel for their research and writings as well as their perceived political positions. SAR authorities also influenced academic appointments based on the perceived political orientation or past affiliations of scholars.

Public libraries, schools, and universities self-censored their holdings, including archives, to comply with the NSL. Hong Kong University required library users to register to access "Special Collections" containing books

about the Tiananmen Square massacre and others written by local democracy advocates. The Hong Kong Public Library required special registration to access microfilm collections on the Tiananmen Square events.

In July, local media reported the organizers of the annual Hong Kong Book Fair removed at least eight “sensitive” titles from shelves due to complaints. The law allowed SAR authorities to revoke a film’s license if it was “found to be contrary to national security interests.” Releasing an unlicensed film was punishable by up to three years’ imprisonment.

Physical Attacks, Imprisonment, and Pressure

Journalists were subjected to intimidation by local and central authorities for their reporting. In August, the Hong Kong Journalists’ Association (HKJA) released a survey showing that its members’ perception of press freedom dropped for a fifth consecutive year to 25 (out of 100). More than 92 percent of journalists surveyed reported that press freedom declined over the past year, and that the SNSO would further damage freedom of the press. Respondents cited the NSL trial of prodemocracy advocate and media owner Jimmy Lai as well as the entry bans on several foreign journalists among the causes of the decline. More than 80 percent of respondents said the disappearance of a local reporter after covering news in Beijing and the end of Zunzi’s political cartoon column in *Ming Pao* newspaper showed the damage to press freedom. According to an April report from Reporters Without Borders, 10 journalists and press freedom defenders were detained

in the SAR.

In recent years, the SAR increased scrutiny of foreign journalists' visa applications, causing delays in obtaining or renewing work visas. According to media reporting, the SAR government denied work visas to journalists from at least seven different news outlets since 2018. The SNSO introduced new offenses, such as endangering national security, which raised concerns among press freedom advocates due to its vaguely defined provisions. For example, persons who "conspired" with an external force to publish a false or misleading statement could be found guilty of "espionage." Moreover, vague provisions on protecting "state secrets" made it more difficult for whistle blowers to report wrongdoing or for journalists to request information from government sources.

Censorship by Governments, Military, Intelligence, or Police Forces, Criminal Groups, or Armed Extremist or Rebel Groups

The operating space for independent media shrank further in the year and suspected content control continued. The SAR targeted independent media that expressed views it construed as not progovernment. SAR authorities continued prosecutions, opened in 2021, of former executives and editors of the shuttered *Apple Daily* on national security-related charges.

In August, a SAR court made its first ruling in a sedition case involving a media outlet since the PRC assumed control of Hong Kong in 1997. Former

editors of the defunct *Stand News*, Chung Pui-kuen and Patrick Lam, were convicted of publishing seditious materials. The court ruled that 11 of 17 articles raised in the case, which included interviews with opposition figures and political commentaries, were seditious, and argued the two editors “knowingly approved” the articles’ seditious intentions or “at least ignored the seditious consequences” by offering *Stand News* a platform to incite hatred against Beijing and SAR authorities.

Pressure on the media was reflected in a rise in reports of media self-censorship.

In January, the Transportation Department tightened restrictions on journalists checking vehicle registrations, after former Radio Television Hong Kong journalist Bao Choy won her 2023 appeal, which held there was no reason for authorities to exclude “bona fide journalistic investigations” from using a public database. Under the new arrangement, news reporting was no longer accepted as grounds for the automatic approval of a search; after January, such requests were considered as “exceptional circumstances” and journalists were required to apply to the transport commissioner, who would approve the search only if satisfied that the application met the criteria of “significant public interest” and that there would be no misuse of the information. The HKJA filed a petition for judicial review of the new policy, saying it was inconsistent with the principles of freedom of speech and freedom of the press.

b. Worker Rights

Freedom of Association and Collective Bargaining

The law provided for the right of workers to form and join unions, but SAR and PRC authorities took repeated actions that violated the principle of union independence. The law did not protect the right to collective bargaining or obligate employers to bargain. The law prohibited civil servants from bargaining collectively.

The law provided for freedom of association, but the government did not respect the law. Authorities investigated and forced the closure of any group they deemed a national security concern, including labor unions and professional associations.

The law protected the right to strike, subject to certain limits; these limits were not excessive. The law prohibited firing an employee for participating in a strike and voided any section of an employment contract that punished a worker for striking. The commissioner of police had broad authority to control and direct public gatherings, including strikes, in the interest of national security or public safety.

By law, an employer could not fire, penalize, or discriminate against employees who exercised their union rights and could not prevent or deter them from exercising such rights. Penalties for violations of laws protecting

union and related worker rights included fines as well as legal damages paid to workers. Penalties were commensurate with those under other laws involving the denial of civil rights. The law was not effectively enforced. Penalties were sometimes applied against violators.

The government used provisions of the NSL, the Societies Ordinance, and the Trade Union Ordinance to repress independent unions and their confederations. Nongovernmental organizations (NGOs) played a role in promoting worker rights. Some labor groups expressed concern that increased scrutiny of NGO funding under the NSL hurt labor unions and worker rights organizations.

According to *The State of Labor in Hong Kong 2023*, issued by Hong Kong Labor Rights Monitor in May, 218 unions were forced to dissolve or deregister between 2021 and 2023, while only 11 were dissolved between 2018 and 2020. Three of 13 union leaders arrested between June 2020 and the end of 2023 remained incarcerated, six were released upon completing their sentences, three were on bail awaiting trial, and in one case charges were withdrawn. In addition, a trade unionist overseas was wanted for engaging in international labor movements.

Forced or Compulsory Labor

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Acceptable Work Conditions

Wage and Hour Laws

The statutory minimum wage increased in May but remained below the poverty line for an average-sized household. The law did not regulate working hours, paid weekly rest, rest breaks, or compulsory overtime for most employees. The law regulated working hours for persons ages 15-17 in the industrial sector, allowing them to work no more than eight hours per day (between 7 a.m. and 7 p.m.), no more than six days per week, and requiring a 30-minute break after five contiguous hours of work. Several labor groups reported employers expected employees to work extremely long hours and called for legislation to address that concern. Foreign domestic workers were excluded from the statutory hourly minimum wage and often faced extremely long working hours (12 to 16 hours a day). They were often expected to be on call 24 hours a day, a condition exacerbated by the compulsory live-in requirement.

On December 17, a union representing foreign household workers reported widespread underpayment and other abuses of South Asian domestic workers, particularly those from India and Nepal. Eight cases were reported in 2023 and 2024. Employers denied these workers the statutory minimum wage and weekly rest day. Media reported first-time workers, often unaware of their rights, were especially vulnerable. Weak enforcement contributed to violations of the law.

Occupational Safety and Health

The law included occupational safety and health (OSH) standards for various industries. The law provided for standards that were appropriate for the main industries in the economy. The law made enterprise and delivery agencies responsible for occupational injuries to temporary workers. OSH laws allowed workers to remove themselves from situations that endangered health or safety without jeopardy to their employment. Employers were required to report any injuries sustained by their employees in work-related accidents.

The Occupational Safety and Health Branch of the Labor Department was responsible for promoting safety and health, identifying unsafe conditions, enforcing safety management legislation, and formulating and implementing policy generally. Inspectors could make unannounced inspections and initiate investigations and prosecutions; they were generally responsive to complaints from workers. In April 2023, the Legislative Council passed a bill increasing penalties for occupational safety violations following some fatal accidents in the industrial sector. The SAR government reported approximately 20 similar cases per year during the previous 10 years.

Wage, Hour, and OSH Enforcement

The Labor Department was responsible for enforcing wage and working hour laws as well as OSH standards in conjunction with the labor agencies of

local authorities. The government effectively enforced the law; the number of labor inspectors was sufficient to enforce compliance. Labor inspectors had the authority to conduct unannounced inspections and initiate sanctions. Penalties for violations of wage laws or OSH standards included fines, damages, and workers' compensation payments. These penalties were commensurate with those for similar offenses. Penalties were sometimes applied against violators. The Labor Tribunal adjudicated disputes involving nonpayment or underpayment of wages and wrongful dismissal. The Labor Tribunal presented several barriers to domestic workers, such as prolonged court cases and high court fees, which discouraged them from seeking justice. Interpretation services for foreign domestic workers were limited.

Some foreign domestic workers become victims of debt bondage and domestic servitude in the homes where they worked. Some operators of employment agencies subjected victims to labor trafficking through debt-based coercion by charging workers job placement fees above legal limits and by sometimes withholding their identification documents. The accumulated debts sometimes amounted to a significant portion of a worker's first-year salary, and unscrupulous agencies sometimes compelled workers to take loans from money lenders to pay excessive fees. Some employers, money lenders, and employment agencies illegally withheld passports, employment contracts, or other possessions until the debt was paid. Some workers were required to work up to 17 hours per day;

experienced verbal, sexual, or physical abuse in the home; lived in inadequate conditions; or were denied a legally required weekly day off.

Workers in the informal sector did not receive the same protections or benefits as workers in the formal sector due to their classification as independent contractors. The SAR government did not collect data on the informal sector.

c. Disappearance and Abduction

Disappearance

There were no reports of enforced disappearances by or on behalf of government authorities.

Prolonged Detention without Charges

The law generally prohibited arbitrary arrest and detention and provided for the right of any person to challenge the lawfulness of that person's arrest or detention in court. Nonetheless, the Hong Kong Police Force made arbitrary arrests and detentions under the NSL, the SNSO, enacted in March, and other legislation. The SNSO broadened the scope and definition of sedition offenses, granting authorities much wider scope to detain and arrest individuals for political purposes.

Although SAR and PRC authorities claimed the NSL was not retroactive,

international observers noted the police force's National Security Department, created by the NSL, used its sweeping investigative powers to find evidence of "sedition" and other crimes predating the law's enactment, and based on that charged individuals under the NSL and SNSO. As of August 5, online independent media outlets estimated only 55 percent of the prosecutions initiated since 2020 were completed. According to online news outlet *Independent Media*, as of August 2, of the 136 individuals and five companies charged with NSL, SNSO, and colonial-era sedition offenses since 2020, 104 were denied bail. Two defendants in the high-profile "NSL 47" case were acquitted in May (this case refers to 47 prodemocracy advocates arrested in 2021 and charged with conspiracy to commit subversion under the NSL for their roles in an unauthorized "primary" election in 2020). The Department of Justice subsequently appealed one of those acquittal decisions. Under the NSL, police could require individuals arrested in connection with offenses the government designated as involving national security to surrender their travel documents while investigations were continuing, even if they were not formally charged. Police exercised this authority in numerous NSL cases.

In cases the government designated as involving "national security," most democracy activists were denied bail, and the threshold for bail was more stringent than for other offenses. Bail conditions under the NSL placed the burden of proof on the defendant to convince the judge he or she would not "continue to commit acts endangering national security." NSL or other

national security-related cases were adjudicated only by national security judges specially designated by the chief executive. Unlike in previous years, courts did not deny bail to defendants in such cases because of routine interactions with foreign diplomats or journalists. NGO and media reports raised concerns about increasingly long delays in processing national security cases, often resulting in large numbers of prisoners in detention.

According to *Independent Media*, as of August 2, of the 136 individuals and five companies charged with NSL, SNSO, and colonial-era sedition offenses, 104 were denied bail. At least three prosecutions for sedition under the new SNSO were remanded pending trial. At least 41 persons were detained for longer than three years as of October.

Most individuals arrested and charged with sedition offenses were denied bail under the NSL's particularly stringent bail conditions and spent prolonged periods in pretrial detention. When bail was granted, human rights groups noted defendants were frequently subject to strict restrictions on their freedoms of expression and association as a condition of their bail.

Under the SNSO, national security police could detain a person "reasonably suspected of having committed an offense endangering national security" without charge for up to two weeks, after the initial 48-hour detention period expired. Prolonged pretrial detention was a significant problem, particularly for those arrested on NSL or related charges. An October 2023 report by the Georgetown Center for Asian Law found pretrial detention

rates increased. Some human rights groups called pretrial detention in national security cases a form of indefinite detention without trial that could last for months or years, or a form of extrajudicial punishment. In some cases, prodemocracy activists were denied bail and detained for longer than the maximum sentence for the charge they faced.

Former leaders of a now defunct Tiananmen vigil organizers group, Chow Hang Tung and Lee Cheuk-yan, were in custody since their arrest in 2021. Prodemocracy activist Tam Tak Chi, charged with sedition in 2020 and denied bail, was held since September 2020.

Arbitrary arrests created problems for persons not actually charged. Local media cited police figures that as of March 31, more than two-thirds of those arrested in connection with 2019 protest activity were released without charge. According to local NGOs, these persons faced difficulties finding jobs and continuing their education and could still face administrative restrictions (police bail) such as being required to report regularly to local police and being denied international travel documents. Moreover, persons released without charge still faced the real possibility of re-arrest.

d. Violations in Religious Freedom

See the Department of State's annual *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

e. Trafficking in Persons

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Section 3. Security of the Person

a. Torture and Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibited such practices, but there were reports government officials employed them in some instances.

For example, in January, a Hong Kong Correctional Services officer at the Pik Uk Correctional Institution was arrested on charges of causing “serious bodily harm” to an inmate. There were reports that local authorities subjected political prisoners, including Jimmy Lai, Chow Hang-tung, and some of the “NSL 47” to extended periods of solitary confinement. In September, a UK-based legal team engaged by Lai’s family members filed an urgent appeal to the UN special rapporteur on torture highlighting concerns that extended periods in solitary confinement “pose a grave risk to his physical and mental health, and to his life, given his age and underlying medical conditions.”

b. Protection of Children

Child Labor

The law prohibited the worst forms of child labor. Regulations prohibited employment of children younger than 15 in any industrial establishment. Children younger than 13 were prohibited from taking up employment in all economic sectors. Children 13 or older could be employed in nonindustrial establishments, subject to certain requirements, such as parental written consent and proof the child completed required schooling.

The Labor Department effectively enforced these laws and regularly inspected workplaces to enforce compliance with the regulations. Penalties for child labor law violations, generally a civil offense, included fines and legal damages but were not commensurate with those for analogous serious criminal offenses, such as kidnapping. Penalties were regularly applied against violators.

There were no confirmed reports during the year of the worst forms of child labor.

Child Marriage

The legal minimum age of marriage was 16. In addition, parents' written consent was required for marriage before age 21.

Forced marriages involving girls under age 18 occurred in the SAR in some diaspora communities.

c. Protection to Refugees

The UN High Commissioner for Refugees' (UNHCR's) Hong Kong office played an advisory and capacity-building role.

Provision of First Asylum

The law did not provide for granting asylum or refugee status, but the government had a system for providing limited protection to persons who would be subject to torture or other abuses in their home country.

The government used the term “nonrefoulement claim” to refer to a claim for protection against deportation. Persons subjected to deportation could file a nonrefoulement claim if they either arrived without proper authorization or had overstayed the terms of their initial admission. Filing such a claim could result in a period of detention followed by release on recognizance. Activists and refugee rights groups expressed concerns regarding the quality of adjudications and the very low rate of approved claims. Denied claimants could appeal to the Torture Claims Appeal Board. The government did not publish the board's decisions, a practice the Hong Kong Bar Association noted created concerns regarding the consistency and transparency of decisions. If the board refused the appeal, claimants could

file an application for leave to apply for judicial review. Refugees and asylum seekers were required to appear periodically before the Immigration Department, which caused school disruptions for some refugee children.

As of October, more than 15,000 foreigners were in the SAR seeking asylum, many with the intent to relocate eventually to other countries.

Approximately 8,700 were held in the SAR's two immigration detention facilities. Immigration Department processes and court proceedings took between 10 and 20 years, and often longer, to reach a decision.

The law barred persons seeking asylum from entering the territory, limited the time in which a person could file a nonrefoulement claim, and in some cases limited these individuals' access to interpretation. Activists said the amendment raised concerns about refugees' rights and well-being. Rules allowed authorities to expel persons awaiting appeals court rulings on rejected nonrefoulement applications. According to media in 2023, 27 persons were removed as a result, with another 1,100 vulnerable to immediate deportation.

d. Acts of Antisemitism and Antisemitic Incitement

The active Jewish community numbered approximately 2,500 persons. There were no known reports of antisemitic incidents.

e. Instances of Transnational Repression

SAR authorities engaged in transnational repression against Hong Kongers overseas.

Threats, Harassment, Surveillance, or Coercion

Some activists, NGOs, and other observers alleged mainland PRC authorities engaged in surveillance and harassment of individuals from Hong Kong living in other countries.

In May, UK police arrested three suspects, including Chung-biu Yuen, a retired police superintendent and senior official of the SAR's Economic and Trade Office in London, and charged them with helping Hong Kong's intelligence service gather information in the UK. Other NGOs, such as the Hong Kong Democracy Council, raised concerns regarding similar activities taking place in the United States.

Authorities issued arrest warrants twice for 13 overseas democracy activists in 2023 and an additional six overseas activists in December. The SAR government offered a reward of one million Hong Kong dollars (\$128,000) for information leading to the arrest of each activist; the rewards remained in place throughout 2024.

The SNSO banned SAR residents from providing "absconders" (those failing to comply with an arrest warrant and outside of the SAR) with financial

support, leasing them property, or establishing a joint venture with them. Hong Kong police arrested at least four individuals for allegedly providing financial support to overseas activists just by subscribing to the activists' online subscription platforms.

Efforts to Control Mobility

In June, Secretary for Security Chris Tang canceled passports of six overseas activists in the UK – Nathan Law, Mung Siu-tat, Finn Lau, Simon Cheng, Fok Ka-chi, and Choi Ming-da – who were put on the wanted list in 2023 for allegedly violating the NSL. The SAR government also cancelled passports for seven wanted activists in December, including those residing in the United States. Those who unlawfully provided them with financial assistance could face up to seven years in prison.