

Hong Kong: 45 Democracy Advocates Harshly Sentenced

Beijing Crushes Democracy Leadership in Mass Trial to Intimidate Hong Kongers

(Taipei) – A [Hong Kong](#) court harshly sentenced 45 prominent pro-democracy figures on November 19, 2024, on baseless national security charges that underscored Hong Kong's abysmal human rights situation, Human Rights Watch said today. The Hong Kong government should quash the convictions and immediately release all of those convicted.

Three judges handpicked by Hong Kong's chief executive sentenced 37 men and 8 women to prison terms ranging from 4 years and 2 months to 10 years. The defendants were earlier convicted of "[conspiracy to commit subversion](#)" under article 22 of the National Security Law for helping to organize or run as candidates in an informal primary election in 2020 aimed at winning seats in the then-semi-democratic Legislative Council.

"It's now a crime carrying up to 10 years in prison to try and run in and win an election in Hong Kong," said [Maya Wang](#), associate China director at Human Rights Watch. "The cruel sentences for dozens of prominent democracy activists show just how fast Hong Kong's civil liberties and the rule of law have nosedived in the four years since the Chinese government imposed the draconian National Security Law on the city."

Those convicted encompass a broad swath of the city's pro-democracy movement across several generations including former lawmakers, protest leaders, labor organizers, activists, and academics. They range in age from 26 to 68.

In May the judges found 14 of the defendants guilty following a 118-day trial, acquitting 2, while 31 others had pleaded guilty earlier in the hope of receiving reduced sentences.

The court deemed the former University of Hong Kong law professor, Benny Tai, 60, a "principal offender." It sentenced him to 10 years, the longest among the defendants, and the longest sentence yet since Beijing imposed the National Security Law on the city in 2020.

Three other defendants were also considered "principal offenders;" the ex-lawmaker Au Nok-hin, and the former local councilors Andrew Chiu Ka-yin and Ben Chung Kam-lun. The court reduced their sentences to between 6 and 7 years for testifying for the prosecution and for making early guilty pleas.

Those who were not "principal offenders" and pleaded guilty earlier received prison terms ranging from 4 years and 2 months to 5 years and 7 months. In comparison, 14 defendants who did not plead guilty and were convicted upon trial were handed prison terms ranging from 6 years and 6 months to 7 years and 3 months.

Many aspects of the detention and trial proceedings [violated international due process standards](#), including prolonged pretrial detention and the presumption against bail. Many of the defendants have been held in pretrial detention for more than three years. Hong Kong authorities have also repeatedly denied access to consular officials as required by international law to Gordon Ng Ching-hang, an Australian citizen. The court's denial of a jury trial for the defendants was a departure from the tradition of trial by jury for criminal cases heard by the Hong Kong High Court.

Since the [Chinese](#) government imposed the National Security Law on Hong Kong in June 2020, the Hong Kong authorities have been arbitrarily applying the overly broad law to crack down on the democracy movement, Human Rights Watch said. The authorities have arrested pro-democracy figures and forced independent media, labor unions, and political parties to close.

They turned the semi-democratic Legislative Council into a rubber stamp by [disqualifying](#) pro-democracy legislators and changing the electoral rules so that only those loyal to the Chinese Communist Party could win a seat in Hong Kong's elections.

In March 2024 the Hong Kong government enacted [another national security law](#), the Safeguarding National Security Ordinance, criminalizing an even wider scope of peaceful speech and activities. The National Security Law and Ordinance, together with the Public Order Ordinance, altogether form a set of legal tools to trample on fundamental rights.

The Chinese and Hong Kong governments' crackdown on the democracy movement violates obligations under international human rights law to protect the peaceful exercise of fundamental rights enshrined in the International Covenant on Civil and Political Rights, which is incorporated into Hong Kong's legal framework via the Basic Law and the Bill of Rights Ordinance.

"Governments need to go beyond criticizing these outrageous sentences on bogus charges, and follow up with targeted sanctions against the responsible officials and take other concrete action," Wang said. "They should work toward a more comprehensive strategy on China by mainstreaming human rights at the center of their relations with the Chinese government."