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Rushed adoption of national security bill a regressive step for human rights in Hong Kong – UN Human Rights Chief

GENEVA (19 March 2024) – UN High Commissioner for Human Rights Volker Türk on Tuesday deplored the accelerated consideration and adoption of a national security bill in the Hong Kong Special Administrative Region of China, despite detailed, serious human rights concerns raised with the authorities by his Office and UN human rights mechanisms.

“It is alarming that such consequential legislation was rushed through the legislature through an accelerated process, in spite of serious concerns raised about the incompatibility of many of its provisions with international human rights law,” the High Commissioner said.

The Safeguarding National Security Bill just adopted expands on the 2020 Law on Safeguarding National Security in the Hong Kong Special Administrative Region, passed by the People’s Republic of China. This latest expansion further widens the breadth of national security law applicable in Hong Kong, introducing five additional categories of crimes, described as treason, insurrection, offences in connection with state secrets and espionage, sabotage and endangering national security, and external interference.

Türk stressed that broadly defined and vague provisions in the Bill under Article 23 of Hong Kong’s Basic Law could lead to the criminalization of a wide range of conduct protected under international human rights law,

including freedom of expression, freedom of peaceful assembly, and the right to receive and impart information.

"This ambiguity is deeply troubling, given its potential misuse and arbitrary application, including to target dissenting voices, journalists, researchers, civil society actors and human rights defenders," he said.

"As we have already seen, such provisions readily lead to self-censorship and chilling of legitimate speech and conduct, in respect of matters of public interest on which open debate is vital."

Under the Bill's "external interference" provisions, the broad definition of what constitutes "external force" could have a further chilling effect on engagement with human rights organisations and UN human rights bodies.

"For such important legislation, with a significant impact on human rights to be passed without a thorough process of deliberation and meaningful consultation is a regressive step for the protection of human rights in Hong Kong."

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Hong Kong: UN High Commissioner for Human Rights Volker Türk condemns accelerated adoption of national security law; the addition to the national security law of 2020 has been criticised for its incompatibility with international human rights law

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