

**Submission from Hongkonger in Deutschland e.V.,  
Hong Kong Watch,  
and Freiheit für Hongkong e.V.  
to the Universal Periodic Review of the People's  
Republic of China**

**Fourth Cycle  
July 2023**



**Hongkonger in  
Deutschland e.V.**  
香港人在德國協會



**Freiheit für  
Hongkong e.V.**



For enquiries, please contact Aniessa Andresen ([aniessa.andresen@hongkonger-in-deutschland.org](mailto:aniessa.andresen@hongkonger-in-deutschland.org)) from Hongkonger in Deutschland e.V., and Anouk Wear ([anouk@hongkongwatch.org](mailto:anouk@hongkongwatch.org)) from Hong Kong Watch, and Ray Wong ([info@freiheitkh.de](mailto:info@freiheitkh.de)) from Freiheit für Hongkong e.V..

Hongkonger in Deutschland e.V., Poststraße 16, 77652 Offenburg, Germany

Hong Kong Watch, Office 7, 35-37 Ludgate Hill, London, EC4M 7JN, United Kingdom

Freiheit für Hongkong e.V., Greifswalder Str. 4, 10405 Berlin, Germany

## 1. Introduction

- 1.1. Hongkonger in Deutschland e.V. (HKDE), Hong Kong Watch (HKW), and Freiheit für Hongkong e.V. (FfHK) make this submission to the United Nations (UN) Universal Periodic Review (UPR) of the People's Republic of China (PRC) in the Fourth Cycle.
- 1.2. This submission can be published on the OHCHR website for UPR for public information purposes.
- 1.3. Hongkongers in Germany Association (Hongkonger in Deutschland e.V.) is a non-profit organization which was founded in 2019, acting as a bridge connecting Hong Kong and Germany, aiming to provide a platform for people in Hong Kong and Germany to network and offer mutual support. They also seek to gather and share information on Hong Kong's state of affairs by closely monitoring the economic and political situation in Hong Kong. Our mission is to promote Hong Kong culture to Germans, facilitate access to the latest local information, and engage people in Germany to learn more about the history and current situation in Hong Kong.
- 1.4. Hong Kong Watch is a UK-based registered charity which researches and monitors threats to Hong Kong's basic freedoms, the rule of law and autonomy as promised under the 'one country, two systems' principle which is enshrined in the Basic Law and the Sino-British Joint Declaration.
- 1.5. Freedom for Hong Kong Association (Freiheit für Hongkong e.V.) is a non-profit organisation based in Berlin. The association was founded in 2022 by activists from Germany and Hong Kong – in response to the steady deterioration of the human rights situation in Hong Kong. Our founding members unite a common mission: strive for a free and democratic Hong Kong.
- 1.6. HKDE, HKW, and FfHK welcome this opportunity to submit information, highlight concerns, and provide recommendations related to recent developments that impact adversely on rights since the Third Cycle review in 2018. During this period, the biggest change in the PRC has been the drastic human rights violations, breaches of international law, and reduction of autonomy in the Hong Kong Special Administrative Region (HKSAR) of the PRC. Therefore, it is critical to highlight the changes in the HKSAR in this review in particular.
- 1.7. The focus of this submission is on the HKSAR's violations of rights and freedoms of activists in Germany.
- 1.8. All cases and names included in this submission have received the explicit consent of the person concerned, and are also emblematic of many more cases.

## **2. Background**

### 2019 Protests

- 2.1. Between 2019 and early 2020, hundreds of thousands of people across the HKSAR protested against the government's introduction of a bill to amend the Fugitive Offenders Ordinance, which would allow for extradition to Mainland China. The biggest protest in the HKSAR's history, which was peaceful and approved by the HKSAR, took place on 17 June 2019 with nearly 2 million people - almost one third of the population.<sup>i</sup>
- 2.2. In response, the HKSAR government used an unprecedented amount of brute force through the Hong Kong Police Force (HKPF). Rubber bullets, bean bag bullets, and tear gas were routinely used against protestors and bystanders, leading to incidents which could have been fatal: a teenager was shot mere centimetres from his heart and another lost her eye. Hundreds were hospitalised as a result of injuries from police batons, firearms, pepper spray and tear gas.
- 2.3. The HKSAR consistently violated the rights of protestors to freedom of expression and freedom of assembly. They did not conduct independent investigations into the allegations of police brutality committed by the HKPF and have taken no accountability.
- 2.4. One of the PRC's biggest tools to crush the protests in the HKSAR was to pass the National Security Law in 2020, which further restricted rights and freedoms.

### National Security Law

- 2.5. On 30 June 2020, the Standing Committee of the National People's Congress (NPCSC) passed the Law of the People's Republic of China on Safeguarding National Security in the HKSAR (the National Security Law, NSL).<sup>ii</sup> The NSL broadly defines and criminalises secession, subversion, terrorist activities, and collusion with a foreign country or with external elements to endanger national security. The maximum penalty under the NSL is life imprisonment.<sup>iii</sup>
- 2.6. The HKSAR's spokesperson claimed that the NSL "only targets an extremely small minority of offenders while the life and property as well as various legitimate basic rights and freedoms enjoyed by the overwhelming majority of citizens will be protected."<sup>iv</sup>
- 2.7. Despite the HKSAR's pledges,<sup>v</sup> it has not adhered to its obligations under international law.
- 2.8. The UN Human Rights Committee and the Committee on Economic, Social, and Cultural rights reviewed the HKSAR's implementation of the ICCPR and ICESCR in 2022 and 2023 respectively, and both concluded that the NSL violates the HKSAR's international legal obligations. They specifically stated that the NSL "has de facto

abolished the independence of the judiciary of Hong Kong SAR” and raised concerns about independence of the judiciary and the right to fair trial, as well as academic and artistic freedom.<sup>vi</sup>

2.9. The use of the NSL’s extraterritoriality clause, set out in Article 38 of the law, to threaten foreign activists and organisations marks a new low and poses a direct threat to free societies and potentially to freedom well beyond the HKSAR’s borders, including people in Germany.

2.10. Although activists from Mainland China, Tibet and the Uyghur region have faced aggressive threats from the Chinese government domestically and abroad for many years, Hongkongers are now also beginning to experience threats on this scale. These threats are more indirect and generally related to the NSL.

### 3. Extraterritoriality of NSL and Other Threats Abroad

- 3.1. On 10 March 2022, HKW, a UK-based organisation, received a letter from the HKPF and an email from the National Security Bureau, alleging that its website posed a threat to China's national security in violation of the NSL and demanding that it be taken down. They threatened Hong Kong Watch co-founder and Chief Executive Benedict Rogers with a fine of HK\$100,000 (US\$13,000) and imprisonment if he did not comply. This was one of the first incidents of the NSL being applied abroad.
- 3.2. On 16 October 2022, a protester protesting outside the Chinese Consulate in Manchester was dragged inside and beaten by unidentified men from the Chinese Consulate. UK police were forced to intervene and pull him out to rescue him. This was a clear infringement on the right to peaceful protest and freedom of speech in the UK.<sup>vii</sup> Following the incident, six Chinese officials were recalled back to China, effectively preventing them from being questioned by UK police over the incident and therefore being held accountable.<sup>viii</sup>
- 3.3. Other Hong Kong activists in the UK have reported threats and attacks from unknown individuals. Although they have not been definitively linked to the PRC, there are strong suggestions that the PRC is involved due to the circumstances. There is widespread fear among the community that there will be repercussions for activism, and heavy self-censorship.<sup>ix</sup>
- 3.4. Furthermore, on 3 July 2023, the Hong Kong National Security Police issued arrest warrants and \$1 million bounties for eight Hong Kong pro-democracy activists who had fled overseas, namely Nathan Law, Dennis Kwok, Ted Hui, Kevin Yam, Anna Kwok, Finn Lau, Elmer Yuen, and Christopher Mung. These include former pro-democracy lawmakers, prominent Hong Kong lawyers and trade unionists, and activists who campaigned against the NSL overseas.<sup>x</sup>
- 3.5. This is the first time that bounties have been issued in relation to overseas activity related to the NSL, but not the first arrest warrants.
- 3.6. More than 50 Hong Kong civil society organisations across the world signed a joint statement urging governments to protect the rights and freedoms of Hong Kong activists in exile, particularly those who have asylum and face threats from Beijing.<sup>xi</sup> Many governments issued statements condemning the arrest warrants. The PRC reacted by accusing the UK of "offering protection for fugitives" and urging the activists to give themselves up, adding that otherwise they would "spend their days in fear."<sup>xii</sup>
- 3.7. These examples show that Hong Kong activists are under threat while abroad, either explicitly or indirectly, through the HKSAR or PRC government organs or their tools.

3.8. Thus, the NSL has significantly curtailed global activism for Hong Kong democracy, with overseas Hongkongers fearing retaliation under the law, even thousands of miles away from home.

#### **4. Hongkonger in Deutschland e.V.**

##### Before the NSL

- 4.1. HKDE is a non-profit organisation established in October 2019 in response to the anti-extradition law movement in the HKSAR. Their primary objective is to bring together Hongkongers residing in various cities in Germany and amplify our voices through various means, including protests and exhibitions.
- 4.2. HKDE has been actively organising protests in several cities, including Frankfurt, Cologne, Hamburg, Munich, and Berlin. These peaceful demonstrations have not been without challenges from the HKSAR and PRC.
- 4.3. Not only were Hongkongers targeted via surveillance during these protests, but even the participants themselves faced threats and intimidation. This situation has caused distress to the individuals directly involved but also to their families.
- 4.4. In Hamburg, for example, a peaceful protest took place on 17 and 18 August 2019, with the aim of expressing solidarity with people who were protesting in the HKSAR and to raise awareness in Germany. A group sat in the Hamburg town hall holding signs that said “Stand with Hong Kong”, “Democracy for Hong Kong,” “No violence!” and “Together we fight”.
- 4.5. Even then, protesters knew that their safety was not guaranteed in Germany. Protestors did not publicly share their names, jobs, or other identifiable details. On social media, they received threats in Chinese, such as “I hope your whole family will die” from people who self-identified as a Chinese Communist Party member.
- 4.6. Later that day, a group of pro-Beijing protestors appeared at the same event that the Hong Kong group was at. They attempted to provoke the Hong Kong group, by singing the Chinese national anthem and waving the Chinese flag. Later, they attempted to intimidate them by taking photos and videos of the protestors. These photos and videos were later spread on Chinese social media, where they were used as propaganda against the Hong Kong protests and protestors<sup>xiii</sup>, and shared with the Chinese Consulate. This is extremely dangerous for the Hongkongers who protested, as they could be recognised in these photos and videos, leaving them and their families in the HKSAR vulnerable to harassment.<sup>xiv</sup>
- 4.7. At a later protest, 80 Hong Kong people participated with their faces covered - with face masks and sunglasses - and explained that they felt unsafe and needed to hide while protesting against the PRC in Germany.<sup>xv</sup> The Cologne and Hamburg branches of HKDE faced such severe harassment from pro-Beijing individuals, groups, and media that they eventually disbanded.

4.8. This distressing development highlights the extent to which the participants and their families have been targeted and affected by the circumstances surrounding our activities.

#### After the NSL

4.9. The implementation of the Hong Kong NSL has had a significant impact on HKDE and caused a significant shift within HKDE.

4.10. As a result of the NSL, the work of HKDE has been severely impacted and restricted, and members face unprecedented challenges which are also ambiguously defined, given the broad scope of the NSL.

4.11. In February 2021, the German Member of the Bundestag and head of the Human Rights Committee, Gyde Jensen wrote to the Chancellor Angela Merkel asking her to take a firmer line toward China over human rights. In her letter, Jensen cited the HKDE protest of 17 August 2019 during which Chinese pro-government counter-demonstrators filmed and photographed participants “presumably for the purpose of intimidation”.<sup>xvi</sup>

4.12. On 30 June 2020, all of the former HKDE board members made the difficult decision to resign from their positions. This decision was made in response to the potential risks and uncertainties associated with the NSL's enforcement. Given the broad scope of the law and the potential consequences for those involved in activities deemed a threat to the HKSAR's National Security, HKDE's former board members decided it was in their best interest to step down.

4.13. The resignation of former board members has led to a significant transition within the association, and reflects the impact of the NSL on Hong Kong people and other people who advocate for the HKSAR, even in Germany.



## **5. Self-Censorship Among Hongkongers in Germany Due to the NSL**

5.1 Since the implementation of the NSL in the HKSAR, many Hongkongers residing in Germany have experienced a significant shift in their behaviour due to fears of potential repercussions.

5.2 The self-censorship practices observed among this community highlight their concerns and the impact it has had on their rights and freedoms, even while in Germany. This has a deep impact on how Hongkongers interact with each other and self-censor when it comes to topics that may violate the NSL. As the scope of the NSL is unclear, people typically self-censor or avoid doing things even when in doubt, leading to even more restriction.

### Deletion of Social Media Accounts:

5.3 Hongkongers who were actively involved in the past pro-democracy movement have resorted to deleting their accounts on various social media and communication platforms, such as Telegram and Facebook.

5.4 By erasing their digital footprints, they hope to minimise the chances of being identified or targeted by authorities who are monitoring online activities. This cautious approach reflects their anxiety about potential consequences under the NSL, even in Germany.

### Avoidance of Activism:

5.5 Due to the extraterritorial threats of the NSL, many Hongkongers in Germany have refrained from participating in any activities related to the anti-extradition law movement.

5.6 The fear of being implicated in violating the NSL, even outside the HKSAR, has led individuals to distance themselves from any form of activism or political engagement, preferring to maintain a low profile and prioritize their personal safety.

### Dissociation from Association:

5.7 After the NSL was passed in the HKSAR, many HKDE members chose to sever ties with the association. This decision stemmed from concerns about the potential impact on their personal lives, careers, and relationships, prompting them to prioritise their safety over collective efforts for democracy and freedom with uncertain risks.

### Hesitancy on social media:

5.8 Fear of potential consequences has stifled the willingness of Hongkongers in Germany to respond or engage on social media platforms. The NSL's provisions, which criminalize certain types of speech and expression, have led individuals to

exercise caution and refrain from making any comments or expressing their political opinions openly, even in the relative safety of online spaces.

#### Avoidance of Non-Political Gatherings:

5.9 The impact of the NSL extends beyond political activities. Hongkongers in Germany have observed a decline in attendance at non-political events that are organised by HKDE, such as Festival Gatherings. The apprehension of being associated with any Hong Kong-related activities, even if they are unrelated to politics, has contributed to a general reluctance to participate, further isolating the community and individual members within the community.

#### Temporary App Deletion:

5.10 The introduction of the NSL in the HKSAR has had a profound impact on the behaviour and mindset of Hongkongers living in Germany. To mitigate potential risks during visits to the HKSAR, many Hongkongers in Germany have adopted the practice of deleting certain apps from their devices before traveling back to the HKSAR.

5.11 For example, they may be in Telegram group chats with other Hongkongers who are abroad, so they will delete the entire Telegram app before their travels. They usually notify group members and request to be added to the group chats after returning from the HKSAR. This precautionary measure aims to minimise the chances of compromising personal data or inadvertently leaving traces that may be used against them upon their return to the HKSAR.

5.12 The fear of repercussions, including potential legal consequences and threats to personal safety and that of family members, has also led to wide-ranging and thorough self-censorship. As a result, Hongkongers in Germany find themselves constrained in expressing their opinions and participating in activities that were once integral to their identity and community engagement.

5.13 Furthermore, even in Germany, Hongkongers are unable to enjoy their rights and freedom of expression, freedom of association, and freedom to protest due to the potential impacts of the NSL's extraterritorial application and the lack of adequate protection in Germany.

## **6. Case Study: Aniessa Andresen**

6.1 Aniessa Andresen is the chairperson of HKDE.

6.2 She has set up a translation team to work on translating the banned documentary film "Revolutions of Our Times" and the book series "Sheep Village" into German. She has also actively engaged with global diaspora groups, sharing protest materials and contributing to the German version of the banned song "Glory to Hong Kong."

6.3 Mrs. Andresen arranged for the shipping of two 2 m-high protest statues, known as "HK's Global Lady Liberty" and "Lady Liberty Hong Kong-Chinese University," to Germany. Additionally, she also brought the original head of the 4m-high Lady Liberty Hong Kong statue, which was originally displayed on Lion Rock Mountain in the HKSAR.<sup>xvii</sup> These statues, no longer legally exhibitable in the HKSAR, became powerful symbols of the protests, resonating with audiences internationally.<sup>xviii</sup>

6.4 She also curated a Berlin exhibition on the HKSAR protests, aiming to raise awareness and provide a platform for sharing the stories of those involved.

6.5 Since 2021, due to the restrictions in HKSAR, Mrs. Andresen organised the June 4 candlelight vigils in several major German cities, which serve as a solemn remembrance of the victims of the Tiananmen Square massacre.

6.6 Additionally, she assists asylum seekers upon their arrival in Germany, providing support with paperwork, acting as a translator, and accompanying them during hearings.

6.7 Mrs. Andresen also actively participates in protests held in various cities. To safeguard her family and relatives in the HKSAR and prevent complications, she takes precautions by wearing caps, sunglasses, and masks to conceal her identity. Over the past four years, she has encountered Chinese people who intimidated her a few times in Frankfurt, as well as in Heidelberg. Their first time was on August 31, 2019, at Paulsplatz, while their most recent encounter occurred on June 3, 2023, at MyZeil.

6.8 Typically, the people would appear in small groups of two or three, attempting to provoke the Hongkongers. In response, Mrs. Andresen would instruct her team to loudly call the police and ensure the people could hear it. Normally, these people would leave upon hearing that the authorities had been notified.

6.9 In April 2022, a member of the Office for the Protection of the Constitution (Landesamt für Verfassungsschutz) contacted Mrs. Andresen via phone and requested a personal meeting. For security reasons, they eventually met at a conference room in a hotel and spoke for approximately two hours. During the meeting, the officer informed Mrs. Andresen that she was under observation and advised her against traveling to Hong Kong.

6.10 Subsequently, Mrs. Andresen received another call from an officer from the Federal Office for the Protection of the Constitution (Bundesamt für Verfassungsschutz), who also requested a face-to-face meeting. The officer and his colleague met with Mr. and Mrs. Andresen in a room located within a police station. During this meeting, the officer presented a list of activities in which Mrs. Andresen had engaged, including initiating petitions to sever partner city ties and expressing views on the Confucius Institute, which had evidently unsettled the Chinese government. Similar to the previous meeting, Mrs. Andresen was instructed not to return to Hong Kong and to exercise caution when traveling to countries with strong ties to China.

## 7. Case Study: Amy Siu

- 7.1 Amy Siu became an activist advocating for the HKSAR's democratic movement shortly after the mass protests erupted in the HKSAR in 2019. Since then, she has been assisting various grassroots Hongkonger groups in Germany in organizing protests and seminars.
- 7.2 In 2020, she joined HKDE as the secretary of the steering committee; currently, she is the vice chairperson. In addition, she was one of the founding members of FfHK in 2022 and currently serves as the secretary in the steering committee.
- 7.3 Her initiatives involve organising protests against human rights violations in Hong Kong, primarily in Berlin.
- 7.4 Advocacy is another important aspect of Ms. Siu's work. As a representative of Hongkonger diaspora organizations, she has participated in dialogues with various stakeholders at the federal government level and has also conducted a training session for young Uyghur activists.
- 7.5 Her experience in June 2022 was a particularly poignant case of harassment by the Chinese Communist Party. Ms. Siu was the organiser of a protest march and subsequent candlelight vigil in Berlin on 4 June, 2022 to commemorate the anniversary of the Tiananmen Massacre.
- 7.6 A man from China followed the march from start to finish and further lingered at the vigil, openly taking pictures of Ms. Siu (and other participants) the entire time.
- 7.7 The next day, he posted those pictures on social media, clearly with the intention to publicly share Ms. Siu's identity. In addition, he repeatedly reached out to HKDE via direct messages on social media, asking for the direct contact details of Ms. Siu. Despite repeated and explicit refusal by HKDE, he continued his attempt to gain access to her contact details. HKDE learned of this individual's name, phone number, and other alleged personal details since he provided them in those direct messages on his own volition.
- 7.8 Indeed, he was the same individual who threatened Su Yutong (see below).
- 7.9 In one social media post, he showed pictures of himself having arrived at Ms. Siu's city of residence, accompanied by text implying that he was waiting for her appearance.
- 7.10 Ms. Siu reported the entire incident – the incessant requests for contact details, the provocative social media posts, and the perceived, uninvited initiative to reach her in her city in person – to the Berlin police as a case of online stalking.

7.11 Eventually, the police informed Ms. Siu that the case was closed after an investigation. No arrest was made. In April 2022, during the course of investigating a separate case of Su Yutong, this man was confirmed to be an agent of the Chinese Communist Party. By this time, the individual had already returned to China, according to his social media posts.

## 8. Case Study: Su Yutong

- 8.1 Su Yutong is a Chinese journalist, internet activist, and human rights defender living in Berlin who has been very supportive of Hong Kong activists and their events in Germany, particularly in Berlin. She escaped China, where she was put under house arrest for distributing a banned book about Li Peng, the former Chinese premier who oversaw the 1989 Tiananmen Square massacre.
- 8.2 Su attended a Tiananmen Massacre vigil organised by HKDE on 4 June 2022, and was at the event in her capacity as a reporter for Radio Free Asia. At the event, a man approached her and harassed her. Ever since, one or two unknown men have appeared at her apartment each day, asking for prostitution services. Su said an ad has been placed online offering sexual services by an Asian woman, with her home details on it. She also received Uber Eats food orders worth thousands of euros, which were ordered anonymously, and where the deliverers expected to be paid in cash.
- 8.3 Hotel rooms were booked and paid for under her name in Berlin, Houston, and Hong Kong. After the booking was made, someone would make a bomb threat, after which the local police would be called in to investigate. Su did not make any of these bookings herself, nor was she even in the same city as the bomb threat, yet this is another form of harassment that she has faced. 14 cases were recorded in relation to Su and two other Chinese activists.
- 8.4 In November 2022, Su received rape and death threats on Telegram and called the Berlin police to investigate. They moved her to a safe house for a few months.
- 8.5 In addition, someone opened a fake account on Twitter, stealing Su's identity, and using the username "Su Yutong bitch" (in Chinese). The user photoshopped pictures of Su's face onto nude photos and tried to threaten her with these fabricated nude photos. There have also been attempts to break into her social media and bank accounts.
- 8.6 Su has reported all of these events to the German police several times. An official initially told Su Yutong that it appeared to be the work of a single person, with only one harassing stalker. However, it became clear that there was a larger conspiracy behind these actions and Su fears that it is orchestrated by the PRC.<sup>xix</sup>
- 8.7 In 2023, Su attended the 20 June protest against Li Qiang's visit to Berlin and the HKDE Tiananmen vigil in her capacity as a reporter again.
- 8.8 After the protests, Su's relatives were arrested by the police and national security authorities subpoenaed or visited their home. They were told that their family members are engaged in anti-China activities abroad, doing things that should not be done and damaging China's image. She does not yet know whether other people are affected who do not want to talk about it because of the threats.

8.9 For Su, there is a very clear link between her publicly attending the event organised by HKDE and the extensive harassment she has faced, which appears to have been coordinated to such a degree that it could only be done by a government such as the PRC.

8.10 Her harassment reflects the risks faced by Chinese people who advocate for Hong Kong in Germany, and an increasing possibility for Hongkongers in Germany, who see this as a form of intimidation and threat that they may also face if they continue activism.



## 9. Case Study: Ray Wong

- 9.1 Ray Wong is a Hong Kong activist in exile based in Germany. In Hong Kong, he was a co-founder of the Hong Kong pro-democracy localist political group “Hong Kong Indigenous” and played a key role in the movement between 2015 and 2017 in Hong Kong. While in Hong Kong, he was arrested six times due to his activism.
- 9.2 In 2016, he was arrested and charged with incitement to unlawful assembly and incitement to riot in relation to a protest that took place during the Lunar New Year. In 2017, he left Hong Kong and came to Germany, where he was granted asylum in 2018. Even then, the PRC contacted German immigration authorities in an attempt to prevent Germany from granting him protection.<sup>xx</sup>
- 9.3 After receiving asylum, he started advocacy work in German for the freedoms and rights of the people of Hong Kong. Following the disclosure of his asylum status in May 2019, John Lee, then Chief of Security Bureau, said that Hong Kong police will go after Wong by any means necessary.<sup>xxi</sup>
- 9.4 Subsequently, his family members, who were still in Hong Kong, were questioned by Hong Kong Police. During the 2019 protests, he was tailed by suspicious Chinese-looking people after an advocacy meeting in Berlin.<sup>xxii</sup>
- 9.5 In 2020, after the NSL was passed, Wong was reportedly one of the first overseas activists to be issued an arrest warrant, despite having left Hong Kong in 2017. On Twitter, Wong clarified that he “no longer advocate(s)” for Hong Kong’s independence from mainland China and has not said anything relating to independence since the implementation of NSL. He accused the HKSAR of applying the NSL retroactively, because all of his alleged violations of the law took place before the law was passed.<sup>xxiii</sup>
- 9.6 In 2023, when the HKSAR announced new arrest warrants and now bounties, Ray’s name appeared in one of the local HKSAR newspapers.<sup>xxiv</sup> He does not have a new arrest warrant, but is clear that the threat of the NSL is real, serious, yet arbitrarily defined.

## 10. Case Study: Nick

- 10.1 Since March 2020, Nick has been operating social media accounts on YouTube, Twitter, and Telegram, serving as a citizen journalist from Hong Kong who is now in Germany. With a combined following of 270,000 across the three platforms, Nick has attracted the attention of Chinese and Hong Kong State Security Police.
- 10.2 In June 2021, police officers in China approached Nick's sister, informing her of serious violations of China's NSL committed by Nick. They warned that if he were to return to Mainland China, he would be arrested immediately. The officers claimed to have collaborated with Hong Kong's national security police regarding Nick's case. They urged Nick's sister to persuade him to cease his activities promptly.
- 10.3 Two days after this encounter, Nick hastily fled Hong Kong via the airport to seek political asylum in Germany. However, even after his departure, the Chinese government continued to harass Nick's family in China. They persistently visited his sisters and distant relatives, inquiring about Nick's whereabouts and pressuring them to convince him to close his social media accounts and return to China to plead guilty.
- 10.4 In addition to the offline harassment, the Chinese government also launched online attacks against Nick's social media accounts. Google issued at least four security warnings, alerting Nick that government-backed attackers may have attempted to compromise his account. Simultaneously, several members of a Telegram group formed by Nick to discuss politics in China were summoned by local Chinese police for questioning regarding their knowledge of Nick's activities.
- 10.5 Nick's story shows the risks and challenges faced by citizen journalists and activists in the HKSAR who dare to speak out against the government's actions. Now that he has been granted asylum in Germany, his family in China still face threats and harassment in relation to his activism abroad. This puts an incredible amount of pressure on him.
- 10.6 Despite the threats and harassment, Nick continues to play a significant role in sharing uncensored news and exposing the realities of the Chinese and HKSAR governments.

## **11. Recommendations**

HKDE, HKW, and FfHK urge Member States to recommend the following measures in relation to the HKSAR, at the Fourth Cycle UPR of the PRC:

- 11.1 Repeal the NSL and refrain from applying it in the meantime;
- 11.2 Comply with international legal obligations including but not limited to the Sino-British Joint Declaration, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social, and Cultural Rights, and the Convention of the Elimination of Discrimination Against Women;
- 11.3 Implement the recommendations by the Human Rights Committee in 2022, and the Committee on Economic, Social and Cultural Rights and the Committee on Women's Rights in 2023.

**Word count: 5,600**

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- <sup>iv</sup> The Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region gazetted and takes immediate effect (with photos)
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- <sup>vi</sup> Concluding observations on the third periodic report of China, including Hong Kong, China, and Macao, China, 22 March 2023, [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=E%2FC.12%2FCHN%2FCO%2F3&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=E%2FC.12%2FCHN%2FCO%2F3&Lang=en)
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