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新聞稿

由：香港人權資訊中心

日期：2023 年 10 月 9 日

香港人權資訊中心促請香港政府履行在國際人權法下的義務

四名聯合國人權專家於 10 月 9 日發出聯合聲明，對香港政府根據《香港國安法》(《國安法》) 正在進行的審訊、拘捕和懸紅通緝的行動表示嚴重關注。

聯合國人權專家過去曾多次就《國安法》表達關注，他們指自《國安法》生效以來，至少 100 人涉嫌違反《國安法》被捕，而《國安法》下首宗大規模的審判，則是與 2020 年初選有關的 47 人案，被捕人士包括籌辦或參與初選的前議員、社工、法律學者，及記者等。他們對香港政府使用大規模審判的方式處理《國安法》案件，以及這種審判形式對保障正當程序 (due process) 和公平審判權 (right to fair trial) 的負面影響，感到非常不安。

聯合國人權專家並關注香港政府於 2023 年 7 月指控八名流亡在澳洲、英國和美國的香港人權捍衛者在流亡期間違反了《國安法》，並作出了懸紅通緝的行動。他們認為當局的行動似乎是為了懲罰這八人據稱批評中國政府政策的言論，以及支持香港民主的活動。聯合國人權專家促請中國政府檢視其《國安法》，以確保該法符合中國在香港特別行政區的國際人權義務。

香港人權資訊中心促請香港政府正視聯合國人權專家的憂慮，並履行在國際人權法下的義務，遵循聯合國人權事務委員會針對香港人權問題作出的多項建議，包括停止使用《國安法》、「煽動罪」作出檢控、拘捕，以及廢除現行《國安法》，並確保新的立法完全符合《公民及政治權利國際公約》的人權保障¹。

聯合國人權專家就香港政府以國安法懸紅通緝 8 名香港人權捍衛者的行動提出嚴正憂慮。香港人權資訊中心認為，這篇聲明再次反映人權專家們認為《國安法》不符國際人權標準，而香港政府執行《國安法》的手段，包括運用國安法打擊流亡海外的人權捍衛者的和平言論，違反人權。

香港人權資訊中心認為聯合國人權專家的聲明，反映香港政府持續濫用法律打壓人權的情況備受國際關注，近月的初選案審判情況及懸紅通緝海外民主派人士令香港的國際形象一再被破壞，並且令香港被支持法治、民主、人權的國際社會杯葛。

¹ 人權事務委員會 (2022), 關於中國香港第四次定期報告的結論性意見, CCPR/C/CHN-HKG/CO/4

聯合國人權專家於 10 月 9 日發出的新聞稿：

<https://www.ohchr.org/en/press-releases/2023/10/chinahong-kong-sar-un-experts-concerned-about-ongoing-trials-and-arrest>

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關於我們

香港人權資訊中心於 2022 年成立，由一群專注法律及政策研究的香港人權工作者組成，目標是向外界提供有關香港人權、法治及政治發展的最新和可靠的資訊，以支持香港的公民社會，並以國際人權法和標準，捍衛香港的人權和自由。

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Press Release

From: Hong Kong Centre for Human Rights (“HKCHR”)

Date: 9 October 2023

Hong Kong Centre for Human Rights urges the Hong Kong government to fulfil its obligations under international human rights law

Four United Nations (UN) human rights experts issued a joint statement on 9 October, expressing concern about the Hong Kong government's ongoing trials, arrests and wanted persons under the National Security Law of Hong Kong (NSL).

The UN human rights experts have repeatedly expressed concern about the NSL in the past, pointing out that at least 100 people have been arrested on suspicion of violating the NSL since it came into force, and the first mass trial under the NSL was the case of 47 people in relation to the 2020 primaries, in which the arrested people included former legislators, social workers, legal academics, and journalists, who organised or participated in the primaries. They expressed grave concern about the use of mass trials in NSL cases and how they may negatively affect safeguards that ensure due process and the right to fair trial.

United Nations human rights experts were also concerned that in July 2023, the Hong Kong government issued arrest warrants and placed bounties against eight Hong Kong human rights defenders in self-exile, based in Australia, the United Kingdom and the United States. All are accused of violating the NSL while in exile. The experts were of the view that the charges appear to seek to punish statements allegedly made by each individual criticising the Chinese government's policies and their activities in support of democracy in Hong Kong. They urge China should review the NSL to ensure that the law is in compliance with China's international human rights obligations with respect to the Hong Kong SAR.

Hong Kong Centre for Human Rights (“The Centre”) urges the Hong Kong government to fulfil its obligations under international human rights law and to follow the recommendations of the United Nations Human Rights Committee on human rights issues in Hong Kong, including to stop the use of the NSL and the offence of sedition for prosecution and arrest, repeal the current NSL, and to ensure that any new legislation is fully compliant with human rights protections in the International Covenant on Civil and Political Rights.

The four UN experts expressed serious concerns about the arrest warrants and bounties placed by Hong Kong government under the NSL for the human rights defenders' peaceful exercises of their freedom of speech. This indicates that the experts find such enforcement of the NSL by the Hong Kong Government to be in violation of international human rights standards applicable to Hong Kong.

The Centre believes that the statement of the UN experts reflects that the Hong Kong government's persistent abuse of the law to suppress human rights is of great concern to the international community. The mass trial and bounties placed against human rights defenders have further tarnish Hong Kong's international image, causing Hong Kong to be boycotted by the international community that supports the rule of law, democracy and human rights.

Press release issued by UN human rights experts on 9 October:

<https://www.ohchr.org/en/press-releases/2023/10/chinahong-kong-sar-un-experts-concerned-about-ongoing-trials-and-arrest>

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About us

Hong Kong Centre for Human Rights is established in 2022 by a group of human rights defenders from Hong Kong with background in policy and legal research. We aim to provide credible information on Hong Kong's legal, political, and human rights development with the goal of supporting the resilient civil society of Hong Kong and upholding international human rights standards.

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