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Statement: Human rights defenders in Hong Kong face new charges for Tiananmen vigil

On 6 August 2020, the Hong Kong police brought new charges against 24 pro-democracy activists¹ and human rights defenders for organising or participating in an annual vigil on 4 June 2020 to commemorate the 1989 massacre in Beijing's Tiananmen Square.

On 3 and 4 June 1989, Chinese troops opened fire on [peaceful protesters](#) who had assembled in great numbers in the capital to call for political and economic reforms, killing hundreds and possibly thousands. After 31 years, no one has been held accountable for these killings despite repeated demands from families and civil society. Front Line Defenders considers all those who peacefully advocate for truth, accountability, and reparations for the massacre, including through commemorative acts, to be human rights defenders.

Among the 24 activists facing new charges, 11 are affiliated with the pro-democracy advocacy group [Hong Kong Alliance in Support of Patriotic Democratic Movements in China](#), which has been organising the vigil since 1990. The other 13 activists include civil society group leaders, current and former Legislative Council or District Council members, and student and youth activists.

Of the 24 human rights defenders, 13 were already charged in June for “inciting others to participate in unauthorised assemblies” in relation to the Tiananmen vigil. On 6 August, all 24 were charged with “knowingly participating in an unauthorised assembly”, while one also faces an additional new charge of “holding an unauthorised assembly”. Six of the 24 defenders were also among the [15 pro-democracy activists and human rights defenders](#) charged in April 2020 with “organising and participating in unlawful assemblies” for protests that took place in August and October 2019. The various judicial proceedings are on-going.

Four of the 24 defenders were candidates in the now-postponed Legislative Council election but had their candidacy invalidated by the government on 30 July for their support for particular political systems for governing Hong Kong, advocacy to foreign governments to raise concerns about and take actions against Hong Kong for human rights violations, and opposition “in principle” to the recently enacted [“national security law”](#).

On 1 June 2020, the Hong Kong police banned the annual Tiananmen vigil for the first time since its inception, citing public health concerns in the context of COVID-19. Organisers of the vigil questioned the police's reasoning, citing the very low number of new infections around that time and the government's permission for bars, restaurants, swimming pools and other venues to reopen. Despite the ban, on 3 and 4 June 2020, many gathered in Victoria Park where the vigil usually takes place, and other locations in Hong Kong.

1 Lee Cheuk-yan (李卓人), Albert Ho Chun-yan (何俊仁), Chow Hang-tung (鄒幸彤) Richard Tsoi Yiu-cheung (蔡耀昌), Cheung Man-kwong (張文光), Chiu Yan-loi (趙恩來), Leung Kam-wai (梁錦威), Leung Kwok-wah (梁國華), Leung Yiu-chung (梁耀忠), Mak Hoi-wah (麥海華) and Andrew Wan Siu-kin (尹兆堅), Figo Chan Ho-wun (陳皓桓), Eddie Chu Hoi-dick (朱凱迪), Cyd Ho Sau-lan (何秀蘭), Steven Kwok Wing-kin (郭永健), Leung Kwok-hung (梁國雄), Wu Chi-wai (胡志偉), Sunny Cheung (張崑陽), Gwyneth Ho (何桂藍), Nathan Law (羅冠聰), Jannelle Rosalynne Leung (梁凱晴), Lester Shum (岑敖暉), Joshua Wong Chi-fung (黃之鋒) and Tiffany Yuen Ka-wai (袁嘉蔚).

Hong Kong's [Public Order Ordinance \(POO\)](#) requires prior permission from the police before public gatherings and assemblies can proceed. Unlike in mainland China, the International Covenant on Civil and Political Rights (ICCPR) applies in Hong Kong. The UN Human Rights Committee, which monitors compliance with the treaty, cautioned in 2013 that implementation of the POO may facilitate “excessive restriction” on the right to peaceful assembly. [International human rights law and standards](#) protecting the right to peaceful assembly impose on governments an obligation to facilitate and accommodate the exercise of this right. Governments are thus advised against regimes where assemblies require prior permission to proceed, by virtue of the fact that requesting permission negates the principle that peaceful assembly is a fundamental right.

The new and pending charges against pro-democracy activists and human rights defenders are the latest attempts by the Hong Kong authorities to intimidate and harass human rights defenders and others who express opinions contrary to those of the Government. These charges add to the pervasive chilling effect that the draconian “national security law” has already created in the city, which seriously undermines the maintenance of a safe and enabling environment for human rights defenders.

Front Line Defenders calls on the relevant authorities in Hong Kong to immediately drop all charges against human rights defenders for organising or participating in peaceful assemblies and other human rights advocacy, and to ensure they are able to carry out their work and advocacy without fear of reprisal. It further urges the Hong Kong authorities and the Chinese central government to review all legislation and regulations in force in Hong Kong, and align them with international human rights law.