



Home Office

Country Policy and Information Note

China: Hong Kong national security legislation

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Executive summary

On June 30, 2020, China introduced the National Security Law (NSL) in Hong Kong, criminalising secession, subversion, terrorism, and foreign collusion and applies to offences committed within and outside Hong Kong. On 23 March 2024, the Safeguarding National Security Ordinance (SNSO) took effect replacing the colonial-era sedition law and expanding offences to include treason, insurrection, sabotage, external interference, sedition, theft of state secrets and espionage. Both laws have faced international criticism for their broad provisions and potential impact on human rights, including freedom of expression.

A person fearing the use of national security legislation against them establishes a convention reason of actual or imputed political opinion.

Since the implementation of the NSL activists, journalists, and former lawmakers have been arrested. However, according to data from ChinaFile, a not-for-profit online magazine, most reported arrests (134 people, 45%) happened between June 2020 and July 2021 and the number of arrests has steadily declined since then. Between July 2023 and June 2024, 31 people were arrested. Charge rates under the same laws are lower than arrest rates and have also declined over the same 4-year period. The risk of arbitrary arrest, charge and prosecution for security related offences is low in the context of the 7.5 million people residing in Hong Kong.

Penalties for offences under national security legislation are severe, ranging from short-term detention or 'restriction' to life imprisonment, and conviction rates are high. Where a person can demonstrate that they are likely to be arrested and prosecuted under national security legislation and the punishment is disproportionately harsh then the prosecution is likely to amount to persecution.

Hong Kong authorities pressure exiled activists by harassing their family members in Hong Kong. Arrest warrants have been issued and bounties offered for exiled activists. National security legislation applies to people outside the city, which means that even if someone is not living in Hong Kong, they can still be charged. However, there is limited information on the wider application of this provision.

Press freedom has declined since the introduction of the NSL in 2020. Pro-democracy journalists, politicians, media organisations and non-governmental organisations (NGOs) can face harassment. Several pro-democracy news outlets, including Apple Daily have closed. Academics and university students sometimes practise self-censorship and avoid writing on sensitive topics.

Protection is unlikely to be available and internal relocation is unlikely to be reasonable. Where a claim is refused, it is unlikely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.

All cases must be considered on their individual facts, with the onus on the person to demonstrate they face persecution or serious harm.

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Assessment

Section updated: 7 April 2025

About the assessment

This section considers the evidence relevant to this note – that is the [country information](#), refugee/human rights laws and policies, and applicable caselaw – and provides an assessment of **whether, in general**:

- a person faces a real risk of persecution/serious harm by the state due to the National Security Law (NSL) being used against them.
- the state (or quasi state bodies) can provide effective protection
- internal relocation is possible to avoid persecution/serious harm
- a claim, if refused, is likely or not to be certified as ‘clearly unfounded’ under [section 94 of the Nationality, Immigration and Asylum Act 2002](#).

Decision makers **must**, however, consider all claims on an individual basis, taking into account each case’s specific facts.

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1. Material facts, credibility and other checks/referrals

1.1 Credibility

- 1.1.1 For information on assessing credibility, see the instruction on [Assessing Credibility and Refugee Status](#).
- 1.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).
- 1.1.3 Decision makers must also consider making an international biometric data-sharing check, when such a check has not already been undertaken (see [Biometric data-sharing process \(Migration 5 biometric data-sharing process\)](#)).
- 1.1.4 In cases where there are doubts surrounding a person’s claimed place of origin, decision makers should also consider language analysis testing, where available (see the [Asylum Instruction on Language Analysis](#)).

Official – sensitive: Not for disclosure – Start of section

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Official – sensitive: Not for disclosure – End of section

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1.2 Exclusion

- 1.2.1 Decision makers must consider whether there are serious reasons to apply one (or more) of the exclusion clauses. Each case must be considered on its individual facts.
- 1.2.2 If the person is excluded from the Refugee Convention, they will also be excluded from a grant of humanitarian protection (which has a wider range of exclusions than refugee status).
- 1.2.3 For guidance on exclusion and restricted leave, see the Asylum Instruction on [Exclusion under Articles 1F and 33\(2\) of the Refugee Convention](#), [Humanitarian Protection](#) and the instruction on [Restricted Leave](#).

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The information in this section has been removed as it is restricted for internal Home Office use only.

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2. Convention reason(s)

- 2.1.1 Actual or imputed political opinion.
- 2.1.2 Establishing a convention reason is not sufficient to be recognised as a refugee. The question is whether the person has a well-founded fear of persecution on account of an actual or imputed Refugee Convention reason
- 2.1.3 For further guidance on the 5 Refugee Convention grounds, see the Asylum Instruction, [Assessing Credibility and Refugee Status](#).

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3. Risk

- 3.1.1 Whether a person will be arrested by the authorities under national security legislation is likely to depend on a person's profile, activities, and background. Those with high profiles and prominent roles are likely to be at higher risk of arrest and prosecution. The onus is on the person to demonstrate why they feel the law would, on balance, be applied to them.
- 3.1.2 Where a person can demonstrate that they are likely to be arrested and prosecuted under national security legislation and the punishment is disproportionately harsh, this is likely to amount to persecution.
- 3.1.3 On June 30, 2020, China introduced the National Security Law (NSL) in Hong Kong, criminalising secession, subversion, terrorism, and foreign collusion and applies to offences committed within and outside Hong Kong. On 23 March 2024, the Safeguarding National Security Ordinance (SNSO) took effect replacing the colonial-era sedition law and expanding offences to include treason insurrection, sabotage, external interference, sedition, theft of state secrets and espionage. Both laws have faced international criticism for their broad provisions and potential impact on human rights, including freedom of expression (see [The National Security Law](#) and [The Safeguarding National Security Ordinance \(SNSO\)](#)).

- 3.1.4 The NSL created the Office for Safeguarding National Security of the Central People's Government, which has jurisdiction over national security cases. Hong Kong Police Force's (HKPF) National Security Department (NSD) has powers to search properties, freeze assets, conduct covert surveillance without warrants in some cases and restrict movement of suspects. Article 42 of the NSL, reverses the presumption of bail for defendants. In practice, most individuals charged under security laws, such as sedition, are denied bail, and those granted bail face stringent conditions. The SNSO further extends detention periods and restricts legal consultations during investigation (see [Law enforcement powers](#) and [Application of bail](#)).
- 3.1.5 The NSL established a specialised prosecution division within the Department of Justice, responsible for prosecuting national security offences. The appointment of prosecutors must be approved by the Committee for Safeguarding National Security, which includes representatives from Beijing. Trials under the NSL are conducted without a jury, and judges for these cases can be handpicked by the Chief Executive of Hong Kong, who is accountable to Beijing. The law also allows China to take over complex or serious national security cases and try them on the mainland under certain conditions, however there is no information in sources consulted that this has occurred. Several overseas judges, including a British judge, resigned in June 2024 stating the rule of law is 'profoundly compromised' (see [Judiciary](#)).
- 3.1.6 Since the implementation NSL activists, journalists, and former lawmakers have been arrested. According to ChinaFile, a not-for-profit online magazine, 296 people were arrested between July 2020 and July 2024 under the NSL, former sedition laws and/or the SNSO. Most of these arrests (134 people, 45%) happened between June 2020 and July 2021, with a spike in January 2021 when 68 people were arrested. However, the number of arrests has steadily declined since then. Between July 2023 and June 2024, 31 people were arrested. Ten of these arrests were related to association with the 612 Humanitarian Relief Fund which helped protesters who were arrested or otherwise targeted by the government. The 10 arrested were granted police bail. The risk of arbitrary arrest is low in the context of the 7.5 million people residing in Hong Kong (see [Arrests of activists](#)).
- 3.1.7 Charge rates under the NSL, Sedition law and/or SNSO are lower than arrest rates and have also declined over the same 4-year period since the NSL was enacted. Between July 2020 and June 2021, 65 people were charged, compared to 6 people between July 2023 and July 2024. The risk of a person being charged and prosecuted for security related offences is low in the context of the 7.5 million people residing in Hong Kong. Penalties for these offences are severe, ranging from short-term detention or 'restriction' to life imprisonment. Conviction rates are high and according to Human Rights Watch in their report covering events in 2024 91% of those charged since 2020 have been convicted. On 19 November 2024, 45 people were sentenced to prison terms ranging from just over 4 years to 10 years for conspiracy to subvert state power. The case was based on their involvement in organising an unofficial legislative council election in 2020 (see [Application of the law](#), [Press freedom and arrests of journalists](#) and [Unofficial primary elections 2020 and resulting criminal trials](#)).
- 3.1.8 Hong Kong authorities pressure exiled activists by harassing their family

members in Hong Kong. Between February 10 and 17, 2025, Hong Kong police detained three relatives of ex-district councillor Carmen Lau, who is wanted for allegedly breaching the national security law. Arrest warrants have been issued and bounties offered for exiled activists. National security legislation applies to people outside the city, which means that even if someone is not living in Hong Kong, they can still be charged, for example a student who posted online comments in Japan was arrested on return to Hong Kong in 2023 and was sentenced to 2 months in custody for sedition. In sources consulted there is limited information on the wider application of this provision (see [Treatment of family members of persons of interest](#) and [Transnational application](#)).

- 3.1.9 Press freedom has declined since the introduction of the NSL in 2020. Reporters Without Borders (RSF) noted that Hong Kong's ranking in the World Press Freedom Index fell from 73rd in 2019 to 135th in 2024 out of 180 countries. According to RSF as of 11 March 2025, 11 journalists were in detention. Pro-democracy journalists, politicians, media organisations and NGOs can face harassment. In February 2025, the Hong Kong Public Opinion Research Institute stopped its work after its CEO was investigated twice by national security police. In March 2025, the Democratic Party, Hong Kong's largest opposition group, disbanded citing to the difficult political environment. Several pro-democracy news outlets, including Apple Daily have closed (see [Press freedom and arrests of journalists](#) and [Pro-democracy groups and NGOs](#)).
- 3.1.10 Academics and university students practise self-censorship and avoid writing on sensitive topics; however, it is difficult to quantify such actions. In October 2023 an associate professor at the Chinese University of Hong Kong, whose research included the 1989 Tiananmen Square movement, was dismissed from her position after her visa was rejected by Hong Kong's immigration department due to 'potential security risks'. The Friedrich-Alexander-Universität Institute of Political Science's Academic Freedom Index notes significant declining of academic freedom over the last decade (see [Academic freedom](#)).
- 3.1.11 For further guidance on assessing risk, see the Asylum Instruction on [Assessing Credibility and Refugee Status](#)

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4. Protection

- 4.1.1 Where the person has a well-founded fear of persecution or serious harm from the state, they are unlikely to be able to obtain protection.
- 4.1.2 For further guidance on assessing state protection, see the Asylum Instruction on [Assessing Credibility and Refugee Status](#).

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5. Internal relocation

- 5.1.1 Where the person has a well-founded fear of persecution or serious harm from the state, they are unlikely to be able to relocate to escape that risk.
- 5.1.2 For further guidance on internal relocation and factors to consider, see the Asylum Instruction on [Assessing Credibility and Refugee Status](#).

6. Certification

- 6.1.1 Where a claim is refused, it is unlikely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.
- 6.1.2 For further guidance on certification, see [Certification of Protection and Human Rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 \(clearly unfounded claims\)](#).

Country information

About the country information

This section contains publicly available or disclosable country of origin information (COI) which has been gathered, collated and analysed in line with the [research methodology](#). It provides the evidence base for the assessment which, as stated in the [About the assessment](#), is the guide to the current objective conditions.

The structure and content follow a [terms of reference](#) which sets out the general and specific topics relevant to the scope of this note.

This document is intended to be comprehensive but not exhaustive. If a particular event, person or organisation is not mentioned this does not mean that the event did or did not take place or that the person or organisation does or does not exist.

The COI included was published or made publicly available on or before **7 April 2025**. Any event taking place or report published after this date will not be included.

Decision makers must use relevant COI as the evidential basis for decisions.

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7. Legal context

7.1 The National Security Law

7.1.1 On 30 June 2020 China introduced the National Security Law (NSL) to Hong Kong¹. The law came into effect almost immediately. The text of the legislation was kept secret until it had been passed by the Standing Committee of the National People's Congress².

7.1.2 Hong Kong Free Press (HKFP), which describes itself as an 'impartial', non-profit English-language newspaper³ in its report published 30 July 2022 explained the difference between the colonial-era sedition law and the NSL: 'The sedition law outlaws incitement to violence, to disaffection and to other offences against the administration while the national security law, enacted in June 2020, criminalises subversion, secession, collusion with foreign powers, and terrorist acts. While the sedition legislation falls under the Crimes Ordinance, part of the regular criminal law, elements of the national security law can be found in sedition cases.'⁴ The sedition law was repealed in March 2024 when the Safeguarding National Security Ordinance (SNSO) also referred to as 'Article 23' was enacted⁵ (see [The Safeguarding National Security Ordinance \(SNSO\)](#).)

7.1.3 The official translated version of the [National Security Law](#) can be found on the Hong Kong gazette website. Part 6 details the Scope of Application:

'Article 37 This Law shall apply to a person who is a permanent resident of the Hong Kong Special Administrative Region or an incorporated or unincorporated body such as a company or an organisation which is set up in the Region if the person or the body commits an offence under this Law

¹ The Guardian, [Controversial Hong Kong national security law comes into effect](#), 30 June 2020

² BBC News, [Hong Kong's New Security Law explained](#), 30 July 2020

³ HKFP, [About](#), no date

⁴ HKFP, [Explainer: Hong Kong's Sedition Law](#), 30 July 2022

⁵ HKFP, [Activist Tam Tak-chi's lawyer....](#), 10 January 2025

outside the Region.

‘Article 38 This Law shall apply to offences under this Law committed against the Hong Kong Special Administrative Region from outside the Region by a person who is not a permanent resident of the Region.

‘Article 39 This Law shall apply to acts committed after its entry into force for the purpose of conviction and imposition of punishment.’⁶ (see [Retrospective application of the National Security Law](#))

7.1.4 Under the general principles of the NSL Article 5 states that ‘...No one shall be liable to be tried or punished again for an offence for which he or she has already been finally convicted or acquitted in judicial proceedings.’⁷

7.1.5 The law criminalises any act of:

- secession - breaking away from the country
- subversion - undermining the power or authority of the central government
- terrorism - using violence or intimidation against people
- collusion with foreign or external forces⁸.

7.1.6 Mayer Brown, a global legal services provider outlined the penalties under the NSL:

- Secession and Subversion include life imprisonment, fixed-term imprisonment, short-term detention or restriction, depending on the level of involvement.
- Committing terrorist activities include life imprisonment, fixed-term imprisonment, short-term detention, restriction, criminal fines and confiscation of properties. Penalties vary according to the consequences of the offence, the role played and the level of involvement.
- Collusion varies from life imprisonment to fixed-term imprisonment, depending on the level of involvement⁹.

7.1.7 Urania Chiu and Aaron H L Wong’s article ‘When Socialist Chinese Law Meets Common Law Interpretation: Mandatory Sentencing and Mitigation Under the Hong Kong National Security Law’ published on 26 September 2024 and published in the Statute Law Review journal, Volume 45, Issue 3 December 2024 noted:

‘In HKSAR v Lui Sai Yu [2023] HKCFA 26, the Hong Kong Court of Final Appeal (CFA) delivered its first judgment on the mandatory sentencing regime under the newly introduced National Security Law (NSL)...the CFA held that mitigating factors not listed in the NSL cannot bring about a sentence below the minimum prescribed by the relevant provision... the CFA stated emphatically that it has no power to review the constitutionality of NSL provisions, given that they have been enacted by the NPC’s exercise of power under the Basic Law.’¹⁰

⁶ HKSAR Gazette [No. 48 Vol. 24 - Government Notice](#) (part six), 3 July 2020

⁷ HKSAR Gazette [No. 48 Vol. 24 - Government Notice](#) (part six), 3 July 2020

⁸ HKSAR Gazette [No. 48 Vol. 24 - Government Notice](#) (part six), 3 July 2020

⁹ Mayer Brown, [HKSAR NSL explained](#), 2 July 2020

¹⁰ Chiu and Wong, [When Socialist Chinese Law Meets Common Law](#)...24 December 2024

- 7.1.8 Urania Chiu and Aaron H L Wong's article noted one of the effects of the CFA ruling: 'Practically, an implication of the rulings is that NSL offenders may face unfairness in sentencing. While the one-third discount for timely guilty pleas has operated ...in non-NSL offences to benefit all defendants, the mandatory sentencing regime, ...will severely restrict the extent of sentence reduction when the provisional sentence determined by the judge is close to the lower boundary of the applicable tier.'¹¹
- 7.1.9 For a timeline of main events since the NSL was enacted up to June 2022 see [previous versions](#) of this CPIN.

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7.2 The Safeguarding National Security Ordinance (SNSO)

- 7.2.1 The official translated version of the [Safeguarding National Security Ordinance](#) can be found on the [Hong Kong e-legislation](#) website.
- 7.2.2 The Safeguarding National Security Bill was gazetted and listed for first reading in the Legislative Council on 8 March 2024¹². The Government of the Hong Kong Special Administrative Region (HKSAR) explained its purpose 'To prevent, suppress and punish acts and activities endangering national security.'¹³ The Bill was fast-tracked through parliament in under 2 weeks¹⁴¹⁵.
- 7.2.3 The Safeguarding National Security Ordinance (SNSO) also referred to as 'Article 23' (in reference to Article 23 of the Basic Law, Hong Kong's constitution which requires it to pass its own national security legislation¹⁶) was subsequently passed by the Legislative Council on 19 March 2024¹⁷¹⁸. The SNSO expanded the offences of treason, insurrection, sabotage, external interference, sedition, and theft of state secrets and espionage and came into force on 23 March 2024¹⁹²⁰.
- 7.2.4 The Jamestown Foundation, a US based think tank, in its report Implications of Article 23 Legislation on the Future of Hong Kong, 1 March 2024 noted:

'Hong Kong's Article 23 legislation will integrate the PRC's national security framework into Hong Kong's legal system, impacting the city's rule of law and foreign business interests...

'Broad and vague definitions of national security will create challenges for Hong Kong's common law system. It will likely contribute to the erosion of legal certainty and judicial independence.'²¹
- 7.2.5 In March 2024, Amnesty International commented on Hong Kong's Article 23 law, stating:

'... The law also introduces mainland China's definition of "state secrets",

¹¹ Chiu and Wong, [When Socialist Chinese Law Meets Common Law](#)...24 December 2024

¹² HKSAR Gazette, [No. 11 Vol. 28 Safeguarding National Security Bill](#), 8 March 2024

¹³ HKSAR, [Basic Law Article 23 Legislation: Safeguarding National Security Bill](#), 8 March 2024

¹⁴ BBC, [Article 23: Hong Kong passes tough security law](#), 19 March 2024

¹⁵ CECC, [CECC 2024 report](#) (page 277), December 2024

¹⁶ BBC, [Article 23: Hong Kong passes tough security law](#), 19 March 2024.

¹⁷ HKFP, [Explainer: Hong Kong's Sedition Law](#), 30 July 2022

¹⁸ HKFP, [Article 23: Hong Kong's homegrown security law](#), no date

¹⁹ HKFP, [Article 23: Hong Kong's homegrown security law](#), no date

²⁰ HKFP, [Hong Kong passes new security law](#), 19 March 2024

²¹ The Jamestown Foundation, [Implications of Article 23 Legislation](#), 1 March 2024

which is extremely broad and can relate to any economic, social, technological or scientific developments, even when they have never been officially classified as secrets. In addition, the Chief Executive – Hong Kong's leader – has the authority to certify whether any material involves state secrets. So again: in practice pretty much anything could be considered a "state secret".

'... This new national security law obliges any Chinese citizen (which includes most Hongkongers) to notify the police if they know that another person has committed, or is about to commit, treason. Failure to do so is punishable by up to 14 years in prison.

'In effect, this imposes on people in Hong Kong a duty to spy on fellow residents. It is likely to increase the existing climate of fear among Hongkongers and prevent them from freely expressing opinions within their communities and social groups...

'The new law grants sweeping new powers to the police when dealing with national security cases. With a Magistrate's approval, they can detain someone for up to 16 days without filing any charges (previously it was two days). They can also prohibit the person from consulting any lawyer in the first 48 hours after their arrest, or a chosen lawyer while in detention.'²²

7.2.6 The Congressional-Executive Commission on China (CECC), a US governmental organisation which monitors human rights²³, Annual report 2024 (The CECC 2024 report), published December 2024 'The new law, [was] passed by a unanimous vote in the reconstituted Legislative Council... Officials of the European Union and the United Nations expressed... concerns that the legislation could be incompatible with international human rights law.'²⁴

7.2.7 The Australian Government's Department of Foreign Affairs and Trade (DFAT) in their April 2025 Thematic report on 'Protests: Laws, Articles and Ordinances Hong Kong Special Administrative', based on their 'knowledge and discussions with a range of sources in Australia and overseas, and taking into account open-source reports' noted that:

'SNSO, known locally as Article 23, came into effect on 23 March 2024 with the stated purposes of "resolutely, fully and faithfully implement[ing] the policy of one country, two systems"; "prevent[ing], suppress[ing] and punish[ing] acts and activities endangering national security in accordance with the law"; "protect[ing] the lawful rights and interests of the residents of the HKSAR and other people in the HKSAR"; "ensur[ing] the property and investment in the HKSAR are protected by the law"; and "maintain[ing] prosperity and stability of the HKSAR".'²⁵

7.2.8 Hong Kong Free Press (HKFP) in its report on the SNSO published 19 March 2024 provided a table of key offences and available sentences²⁶ (reproduced by CPIT):

²² Amnesty International, [What is Hong Kong's Article 23 law? 10 things you need...](#), 22 March 2024

²³ CECC, [About](#), no date

²⁴ CECC, [CECC 2024 report](#) (page 277), December 2024

²⁵ DFAT, [Protests: Laws, Articles and Ordinances Hong Kong ...](#) (paragraph 2.41), 4 April 2025

²⁶ HKFP, [Hong Kong passes new security law](#), 19 March 2024

Offence	Maximum penalty in jail
Unlawful possession of state secrets	3 to 5 years
Unlawful harassment of persons handling cases or work concerning national security	10 years
Unlawful disclosure of state secrets	5 to 10 years
Treason	Life imprisonment
Sabotage endangering national security - damage or weaken public infrastructure	20 years
Publicly manifest intention to commit offence of treason	14 years
Providing unlawful drilling	7 years
Prejudicing of investigation of offences endangering national security	7 years
Participation in activities of prohibited organisations	10 to 14 years
Making available or dealing with funds etc. to absconder	7 years
Insurrection	Life imprisonment
Incitement of members of Chinese armed force to mutiny	Life imprisonment
Failing to disclose of commission of treason by others	14 years
External interference	14 years
Espionage	20 years
Doing acts endangering national security in relation to computers or electronic systems	20 years
Act with a seditious intention	7 years

- 7.2.9 Three offences have the provision for increased sentences ‘if colluding with an external force.’ The offences of ‘Sabotage endangering national security - damage or weaken public infrastructure’ (life imprisonment), ‘Providing unlawful drilling (10 years), and Act with seditious intent (10 years)²⁷.
- 7.2.10 Human Rights Watch’s World Report 2025, covering events in 2024 noted ‘The SNSO criminalizes peaceful activities, expands police powers, and replaces the colonial-era sedition law, raising the maximum sentence for “sedition” from two to seven years of imprisonment.’²⁸
- 7.2.11 The 2025 DFAT Thematic report noted that:
‘Parts two to six of the SNSO created 39 offences in five categories: treason; insurrection (including incitement to mutiny and disaffection, acts with seditious intention); espionage (including theft of state secrets); sabotage

²⁷ HKFP, [Hong Kong passes new security law](#), 19 March 2024

²⁸ HRW, [World report 2025](#) (Hong Kong), 16 January 2025

endangering national security; and external interference endangering national security (including organisations engaging in activities endangering national security). Most of these offenses carry a maximum penalty of between three and 20 years in prison. However, the maximum sentences for treason, insurrection, incitement of members of the Chinese armed force to mutiny, and sabotage endangering national security (when colluding with an external force) are life imprisonment. Sedition provisions contained within the Crimes Ordinance (1971) were repealed and replaced under Part 9 of SNSO, which also raised the maximum sentence to seven years in prison (previously set at a maximum of two years).²⁹

7.2.12 See also [The National Security Law](#)

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7.3 Law enforcement powers

7.3.1 Chapter 5 of the NSL allowed for the establishment of a new national security office in Hong Kong (The Office for Safeguarding National Security of the Central People's Government in the Hong Kong Special Administrative Region (CPG Office)). It allows the staff at this office to operate independently from the Hong Kong authorities. Article 55 under chapter 5 allows the CPG office jurisdiction over cases which endanger national security³⁰.

7.3.2 The NSL grants the Hong Kong Police Force (HKPF) National Security Department (NSD) powers to search properties, freeze or confiscate assets and engage in covert surveillance, including intercepting communication. They are also able, in exceptional circumstances, to enter and search premises for evidence without a warrant and restrict people who are under investigation from leaving Hong Kong. The NSL also allows the police to demand information from foreign and Taiwanese political organisations and agents on their Hong Kong related activities^{31 32}.

7.3.3 In November 2020 the Hong Kong Police Force (HKPF) launched a national security department tipoff line for members of the public to report breaches of the NSL^{33 34}. HKFP reported in November 2021 that the tipoff line had received over 200,000 messages from the public, an average of almost 550 a day, in its first year of operation³⁵. In sources consulted (see [Bibliography](#)), no further information could be found on its usage since 2021.

7.3.4 The SNSO, in force from 23 March 2024, in relation to enforcement powers and investigation allows for:

- 'Extension of detention period for investigations to be completed as soon as possible.
 - 'A magistrate may authorise the police to extend the period of detention of an arrested person without charge, with the period of extended detention not exceeding 14 days.

²⁹ DFAT, [Protests: Laws, Articles and Ordinances Hong Kong ...](#) (paragraph 2.41), 4 April 2025

³⁰ HKSAR Gazette [No. 48 Vol. 24 - Government Notice](#), 3 July 2020

³¹ Guardian, [Hong Kong police given sweeping powers under new security law](#), 7 July 2020

³² Amnesty International, [Hong Kong: In the Name of National Security...](#) (page 12), 29 June 2021

³³ BBC News, [Hong Kong: Snitch hotline gets more than 1,000 calls](#), 6 November 2020

³⁴ HKFP, [Hong Kong police launch national security law tip-off line for WeChat...](#), 5 November 2020

³⁵ HKFP, [Hong Kong national security police hotline received over 200,000 tips...](#), 5 November 2021

- 'Imposition of appropriate restrictions on consultation with lawyers by an arrested person to avoid prejudicing investigations or endangering national security'
 - 'A magistrate may authorise the police to, during an arrested person's detention, restrict the person's consultation with a particular lawyer or particular lawyers (but the person may choose any other lawyer) or consultation with any lawyer during the period of the first 48 hours after the person's arrest.'³⁶

7.3.5 In a press release by the Government of HKSAR published on 15 April 2024 in a speech by the head of the Office for Safeguarding National Security of the Central People's Government (OSNS) in the HKSAR, Mr Zheng stated that the NSL and SNSO '... as well as the National Security Committee and the OSNS are the "dual legislation and dual enforcement mechanism" indispensable for the rule of law system in Hong Kong. ... [which] will exercise central jurisdiction....'³⁷

7.3.6 China Daily, a China based online and print newspaper ³⁸ noted the use of security related enforcement powers by the government and HK police in December 2024. The source stated:

'Chris Tang Ping-keung, secretary for security of the Hong Kong Special Administrative Region [HKSAR] government, on ... [24 December] exercised the powers conferred by the...[SNSO]... to specify seven absconders and the measures to be applied against them by notices published in the gazette. The Hong Kong Police Force also put six other individuals on the wanted list on suspicion of violating the national security law in Hong Kong... The police are offering a bounty of 1 million Hong Kong dollars (about \$128,758) [£99,400³⁹] on each of them.... The Office for Safeguarding National Security of the Central People's Government in the HKSAR on Tuesday said that it firmly supports the law enforcement actions taken ...

'Their abominable moves gravely violated the national security law in Hong Kong, severely harmed the fundamental interests of Hong Kong, and gravely jeopardized national sovereignty, security and development interests, according to the statement. The law enforcement actions are necessary for implementing the national security law in Hong Kong and the ... [SNSO].'⁴⁰

7.3.7 The 2025 DFAT Thematic report noted that:

'In-country sources said in 2023 that matters of 'national security' involving the National Security Department were generally handled in the same manner as other police operations under the existing framework of the HKPF, but judicial proceedings were handled in a different manner ... Under the SNSO, a magistrate can authorise the HKPF to extend the period of detention of a person who has been arrested 'without charge' upwards of 14 days, restrict consultation with a particular legal representative or consultation with any legal representative during the period of the first 48 hours after arrest, and restrict movement to a specified place and when

³⁶ HKSAR, [Basic Law Article 23 Legislation: Safeguarding National Security Bill](#), 8 March 2024

³⁷ Government of HKSAR, [HKSAR organises activities for 2024...](#), 15 April 2024

³⁸ China Daily, [About Us](#) no date

³⁹ XE.com, [1,000,000 HKD to GBP](#), 17 March 2025

⁴⁰ China Daily, [HKSAR govt imposes measures on 7 absconders under SNSO](#), 24 December 2024

associating or communicating with specified persons.’⁴¹

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7.4 Application of bail

7.4.1 Article 42 of the NSL states ‘No bail shall be granted to a criminal suspect or defendant unless the judge has sufficient grounds for believing that the criminal suspect of defendant will not continue to commit acts endangering national security.’⁴²

7.4.2 The BBC noted that Article 42 of the NSL provides for a reversal of the presumption that suspects will be granted bail⁴³.

7.4.3 The SNSO, in relation to freedom of movement for people under investigation, allows for:

- ‘Movement restriction order to avoid prejudicing investigations or endangering national security.’
 - ‘A magistrate may direct that a suspect released pending further investigation must comply with requirements, including that the person:
 - must reside in a specified place
 - must not enter a specified area or place
 - must not, by any means, associate or communicate with a specified person, etc.’⁴⁴

7.4.4 HKFP in its article first published on 8 July 2023 and updated on 4 March 2024 noted ‘...most people charged under the sedition law have been denied bail. In the few instances bail was granted, strict conditions were applied, including deleting all social media applications, being prohibited from joining chat groups with more than five participants and handing over social media accounts to the police for investigation.’⁴⁵

7.4.5 The 2025 DFAT Thematic report noted that: ‘In-country sources said in 2023 that those charged with criminal offences were often granted bail. However, in cases related to national security, the threshold for bail appeared more stringent and arrested individuals were often denied bail and placed on remand until sentencing occurred, which could last for years. On remand, arrested individuals were permitted family visits, could pursue education and have food delivered.’⁴⁶

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7.5 Judiciary

7.5.1 Article 18 of the National Security Law states that: ‘The Department of Justice of the Hong Kong Special Administrative Region shall establish a specialised prosecution division responsible for the prosecution of offences endangering national security and other related legal work. The prosecutors

⁴¹ DFAT, [Protests: Laws, Articles and Ordinances Hong Kong ...](#) (paragraph 4.18), 4 April 2025

⁴² HKSAR Gazette ‘No. 48 Vol. 24 - Government Notice’ (chapter 4), 3 July 2020

⁴³ BBC, ‘[Hong Kong's new security law: Why it scares people](#)’, 1 July 2020

⁴⁴ HKSAR, [Basic Law Article 23 Legislation: Safeguarding National Security Bill](#), 8 March 2024

⁴⁵ HKFP, [Explainer: Hong Kong's new legal precedents...](#), 8 July 2023, updated 4 March 2024

⁴⁶ DFAT, [Protests: Laws, Articles and Ordinances Hong Kong ...](#) (paragraph 4.19), 4 April 2025

of this division shall be appointed by the Secretary for Justice after obtaining the consent of the Committee for Safeguarding National Security of the Hong Kong Special Administrative Region.⁴⁷

7.5.2 BBC reported that the law provides:

- that trials can be held in secret (Article 41) and without a jury (Article 46)
- that judges can be handpicked (Article 44) by Hong Kong's Chief Executive, who is answerable directly to Beijing⁴⁸.

7.5.3 BBC news noted that 'Most cases will be handled in Hong Kong, but the mainland can take over "complex", "serious" or "difficult" cases.'⁴⁹ NPR reported that 'In "complex" and "serious" cases or those in which a security threat is imminent, China will be able to assert complete legal jurisdiction.' The article further noted that '...The law empowers China to set up a "National Security Committee" to oversee the investigation and prosecution of any violations. This committee is subject neither to judicial review nor Hong Kong law — meaning it operates without any local checks or balances.'⁵⁰ Al Jazeera explained that 'The full text of the law gave three scenarios when China might take over a prosecution: complicated foreign interference cases, "very serious" cases and when national security faces "serious and realistic threats".'⁵¹

7.5.4 HKFP in its article first published on 8 July 2023 and updated on 4 March 2024 noted 'Hong Kong has long regarded trial by jury as one of the most important features of its legal system...However, Article 46 of the national security law gave the city's justice minister power to order a non-jury trial in cases handled in the Court of First Instance of the High Court. A certificate may be issued to have a case tried by a panel of three designated judges instead... To date, no national security trial has been heard by a jury.'⁵²

7.5.5 The Compilation of information prepared by the Office of the United Nations High Commissioner for Human Rights (OCHCR) for the Human Rights Council Working Group on the Universal Periodic Review Forty-fifth session 22 January–2 February 2024 (OCHCR's Compilation of information), published 15 November 2023 stated:

'The... Committee... recommended that Hong Kong, China take all measures necessary to strengthen the independence of the judiciary and protect the judiciary from any form of interference; respect and protect the right to a fair trial without discrimination based on political opinion or other grounds; and take the measures necessary to protect lawyers, particularly those who represented opposition figures or protesters and requested judicial reviews, from harassment, intimidation and attacks and ensure that all such allegations were promptly, independently and thoroughly investigated, that perpetrators were prosecuted and, if found guilty, punished with appropriate sanctions, and that victims had access to effective

⁴⁷ HKSAR Gazette '[No. 48 Vol. 24 - Government Notice](#)', 3 July 2020

⁴⁸ BBC, '[Hong Kong's new security law: Why it scares people](#)', 1 July 2020

⁴⁹ BBC, '[Hong Kong: First arrests under 'anti-protest' law as handover marked](#)', 1 July 2020

⁵⁰ NPR, '[5 Takeaways From China's Hong Kong National Security Law](#)', 1 July 2020

⁵¹ Al Jazeera, '[Details of China's national security law for Hong Kong unveiled](#)', 1 July 2020

⁵² HKFP, '[Explainer: Hong Kong's new legal precedents...](#)', 8 July 2023, updated 4 March 2024

remedies.⁵³

- 7.5.6 The Jamestown Foundation, a US based think tank, in its report Implications of Article 23 Legislation on the Future of Hong Kong, 1 March 2024 noted:

‘...the NSL not only introduced new offences and enforcement institutions, it also reshuffled the local criminal justice system. Consequently, the Chief Executive of Hong Kong can designate judges to try national security cases and the government’s attorney general—known as the Secretary for Justice—can replace a jury trial with a three-judge bench.

‘...The local court used to have the power of judicial review against any local government’s acts. However, it has no jurisdiction to review decisions made by the National Security Committee, the supreme body operating the city’s national security apparatus. The Document [Basic Law Article 23 legislation] indicates that such procedural practices will remain in place, if not be sharpened.’⁵⁴

- 7.5.7 An opinion piece by Virginia Lee, a lawyer and China-appointed attesting officer, was published in the China Daily, an online and print newspaper⁵⁵ on 13 August 2024. According to Media Bias Fact Check ‘an independent website that...relies on human evaluators to determine the bias of media sources and the level of overall factual reporting through a combination of objective measures and subjective analysis using our stated [methodology](#)’⁵⁶, China Daily is rated overall a ‘...Questionable [source] based on the endorsement of the Chinese Communist Government and editorial positions that promote state propaganda.’⁵⁷ Lee’s piece in China Daily opined:

‘The enactment of the National Security Law for Hong Kong and subsequent legal developments, including the implementation of Article 23 of the Basic Law, have been pivotal in restoring stability to the city. These laws, which are often subject to international scrutiny, should be understood in the context of Hong Kong’s right and responsibility to safeguard its internal security... The role of the Judiciary in interpreting these laws is crucial in ensuring that the application of the law is fair and aligned with the broader interests of national security. The legal rationale in recent judgments reaffirms the independence of the Judiciary and its capability to uphold public security without compromising judicial integrity.’⁵⁸

- 7.5.8 Australian news agency ABC reported on 11 June 2024:

‘A British judge who recently resigned from Hong Kong’s top court has warned the territory is “slowly becoming a totalitarian state” with its rule of law “profoundly compromised.” Jonathan Sumption is one of two British judges who resigned shortly after a landmark verdict in which 14 prominent democratic activists were convicted for subversion amid a national security crackdown on dissent... Mr Sumption said Hong Kong authorities were “paranoid” about political dissent.

“Hong Kong, once a vibrant and politically diverse community is slowly

⁵³ OCHCR, [Compilation of information](#) (paragraph 71), 15 November 2023

⁵⁴ The Jamestown Foundation, [Implications of Article 23 Legislation](#), 1 March 2024

⁵⁵ China Daily, [About Us](#), no date

⁵⁶ MBFC, [About](#), no date

⁵⁷ MBFC, [China Daily – Bias and Credibility](#), no date

⁵⁸ China Daily, [Hong Kong Judiciary shows resilience and independence](#), 13 August 2024

becoming a totalitarian state," Mr Sumption wrote in a rare and strongly worded opinion piece for the Financial Times on Monday. "The rule of law is profoundly compromised in any area about which the government feels strongly."⁵⁹

- 7.5.9 The CECC 2024 report noted 'Some foreign judges on Hong Kong's highest court resigned, with one of them explaining the factors that had profoundly compromised the rule of law: 1) The National Security Law severely limited judges' freedom of action; 2) the National People's Congress Standing Committee could overturn judges' decisions; and 3) authorities were intent on quashing even peaceful dissent.'⁶⁰
- 7.5.10 According to HKFP on 7 June 2024 'Hong Kong's justice secretary, chief justice, and its two professional legal bodies, have backed the city's judicial independence, after two of the top court's overseas judges resigned on Thursday. Meanwhile, the city's leader said rights and freedoms have been maintained after one of the judges cited the "political situation" as his reason for quitting.'⁶¹
- 7.5.11 Chiu and Wong noted '...the academic consensus is that local judges still have limited room to interpret the NSL in line with existing constitutional and common law principles, especially in protection of fundamental rights.'⁶²

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7.6 Retrospective application of national security legislation

- 7.6.1 Reuters noted that: 'The [NSL] legislation is not retrospective, but prosecutors can use actions from before its implementation as evidence.'⁶³
- 7.6.2 HKFP noted on 6 November 2023, in relation to the proposed SNSO, that according to Hong Kong's security chief Chris Tang the legislation would not be applied retroactively⁶⁴.
- 7.6.3 The 2025 DFAT Thematic report noted that:
'HKSAR's Department of Justice stated in 2021 that the NSL was not to be applied retrospectively, however actions undertaken by individuals prior to implementation of the NSL on 30 June 2020 have led to arrests on grounds of national security. The NSL and sedition provisions of the Crimes Ordinance (1971) have been used to arrest and charge defendants for conduct that was not illegal in the HKSAR before the NSL took effect, but that HKSAR authorities state continued after the introduction of the NSL.'⁶⁵
- 7.6.4 No further information on retroactive application could be found in sources consulted (see [Bibliography](#))

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8. Application of the law

8.1 Arrests of activists

⁵⁹ ABC, [Top judges quit Hong Kong's court](#), 11 June 2024

⁶⁰ CECC, [CECC 2024 report](#) (page 275), December 2024

⁶¹ HKFP, [Gov't and legal bodies back Hong Kong's judicial independence](#), 7 June 2024

⁶² Chiu and Wong, [When Socialist Chinese Law Meets Common Law](#)...²⁴ December 2024

⁶³ Reuters, [HK's Apple Daily raided by 500 officers over national security law](#), 17 June 2021

⁶⁴ HKFP, [New Hong Kong security law...](#), 6 November 2023

⁶⁵ DFAT, [Protests: Laws, Articles and Ordinances Hong Kong ...](#) (paragraph 4.14), 4 April 2025

- 8.1.1 For more detail on arrests that took place before June 2022 please see [previous versions](#) of this CPIN.
- 8.1.2 According to the BBC 19 March 2024 article ‘The city has seen the arrests of a number of protesters, activists and former opposition lawmakers. In July 2023, Hong Kong authorities revealed that about 260 people have been arrested and 79 of them had been charged.’⁶⁶
- 8.1.3 The CECC 2024 report noted:
 ‘In August 2023, police arrested 10 individuals connected with the defunct 612 Humanitarian Relief Fund, which was created to provide assistance to protesters who were arrested or otherwise targeted by the government. The arrestees were suspected of “conspiring to collude with a foreign country or with external elements to endanger national security” and inciting a riot, according to a police statement. The arrests followed the May 2022 convictions of five of the fund’s former trustees for failing to register the fund.’⁶⁷ (see also [Pro-democracy groups and NGOs](#)).
- 8.1.4 The same CECC 2024 report noted: ‘In July 2023, police carried out stop-and-search operations around Yuen Long, arresting 10 people, 2 of whom displayed items that showed support for the pro-democracy movement. ... Police...targeted... efforts that helped political dissidents, arresting four people in July 2023 and seven in May 2024 for allegedly providing financial support to absconders from the National Security Law and for helping post seditious materials online. The May 2024 arrests were the first under the new Article 23 legislation and included Chow Hang-tung [an already imprisoned pro-democracy activist⁶⁸].’⁶⁹
- 8.1.5 The HRW World report 2025 covering events in 2024 noted ‘After the SNSO came into effect, police arrested six people in May [2024], including prominent activist Chow Hang-tung who is already imprisoned, for allegedly publishing “seditious” posts online to commemorate the 1989 Tiananmen Massacre...At least 304 people have been arrested for allegedly violating the National Security Law, the SNSO, and the now-revoked “sedition” law since 2020’⁷⁰
- 8.1.6 The same HRW report noted ‘According to police figures, 10,279 people have been arrested in connection with the 2019 pro-democracy protests, among whom 2,328 “faced legal consequences” including conviction, many for non-violent crimes like “unlawful assembly.”’⁷¹
- 8.1.7 The same HRW report noted ‘Authorities curtailed freedoms of expression, association and assembly. On June 4 [2023], police arrested at least nine people for holding placards, lighting candles, or turning on their phone flashlights near Victoria Park, where the Tiananmen Massacre commemorations took place before 2020.’⁷²
- 8.1.8 Amnesty reported on the same Victoria Park incident and noted: ‘On 4 and 5 June, police detained at least 32 people near Victoria Park, where the

⁶⁶ BBC News, [HK NSL: what it is and why is it worrying?](#), 19 March 2024

⁶⁷ CECC, [CECC 2024 report](#) (page 280), December 2024

⁶⁸ CECC, [CECC 2024 report](#) (pages 55 and 279), December 2024

⁶⁹ CECC, [CECC 2024 report](#) (page 279 & 280), December 2024

⁷⁰ HRW, [World report 2025](#) (Hong Kong), 16 January 2025

⁷¹ HRW, [World report 2025](#) (Hong Kong), 16 January 2025

⁷² HRW, [World report 2025](#) (Hong Kong), 16 January 2025

annual candlelight vigil to commemorate the Tiananmen crackdown was held until it was banned in 2020. The police claimed that those detained were “displaying protest items loaded with seditious wordings, chanting and committing unlawful acts”. All were subsequently released without charge.⁷³

8.1.9 The same Amnesty report noted:

‘In September, Zeng Yuxuan, a 23-year-old mainland Chinese postgraduate law student at the Chinese University of Hong Kong, pleaded guilty to sedition and was sentenced to six months’ imprisonment for planning to display a banner depicting a sculpture by a Danish artist commemorating the Tiananmen crackdown. Zeng Yuxuan was due to be released in October having served most of her sentence in pretrial detention, but was deported to mainland China where she was believed to be held incommunicado. Her transfer was thought to be the first time someone from mainland China has been deported from Hong Kong after being convicted of sedition. In December, police arrested seven people and issued arrest warrants for two others who were living overseas for “inciting others not to vote, or to cast an invalid vote” in District Council elections.’⁷⁴

8.1.10 ChinaFile, a not-for-profit online magazine published by the Asia Society⁷⁵, provided data which included individuals who met one or more of the following conditions: arrested by the Hong Kong Police National Security Department (NSD), arrested or charged for an offense under the NSL, or for a range of sedition-related offenses under section 10 of the Crimes Ordinance, or under the SNSO. Between 1 July 2020 and 1 July 2024, 296 people have been arrested⁷⁶.

8.1.11 ChinaFile produced the following graph showing the number of arrests under the NSL, sedition and SNSO by month, which shows a peak of charges under the NSL between January and February 2021, although there are smaller peaks after this time, none replicate the scale of those between January and February 2021. The source noted ‘Individuals with multiple arrests are counted multiple times in this chart, once for each arrest. “Sedition” refers to a range of related crimes that were prescribed in Section 10 of the Crimes Ordinance. Individuals have also been arrested and/or charged for sedition under the SNSO, which upon its passage replaced sedition charges under the Crimes Ordinance.’⁷⁷

⁷³ Amnesty International, [The State of the World’s Human Rights](#) (page 132), April 2024

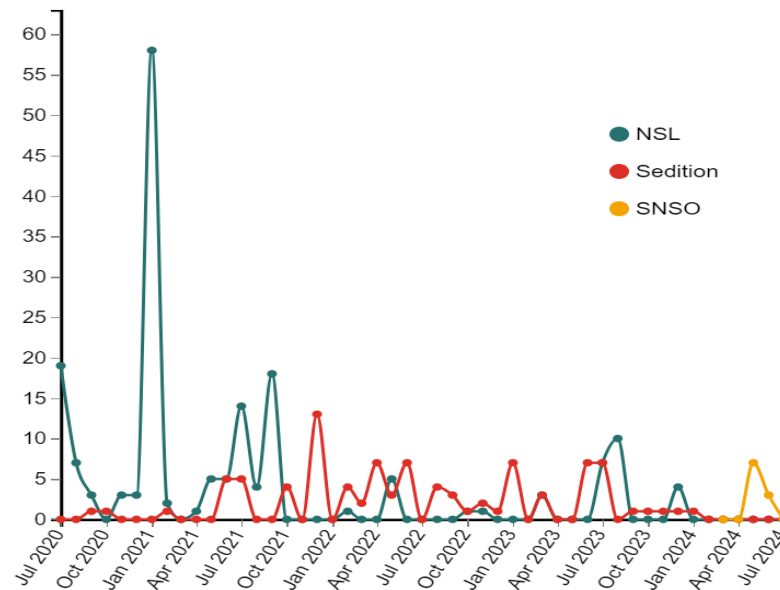
⁷⁴ Amnesty International, [The State of the World’s Human Rights](#) (page 133), April 2024

⁷⁵ ChinaFile, [About](#), no date

⁷⁶ ChinaFile, [Tracking the Impact of Hong Kong’s National Security Law](#), 14 November 2024

⁷⁷ ChinaFile, [Tracking the Impact of Hong Kong’s National Security Law](#), 14 November 2024

Number of NSL-, Sedition-, and SNSO-Related Arrests, by Month



8.1.12 From the ChinaFile data provided, CPIT produced the following table which shows the number of individuals arrested per year. To note for people charged multiple times, only the first charge is counted here. Individuals with unknown charge dates are not included in the table below (5 people), but are included in the total 296 people charged between July 2020 and July 2024, (the last available data):

Year	Month with the highest number of individuals arrested	Total Number of individuals arrested
July 2020 – June 2021	January – 68 individuals	134
July 2021 – June 2022	July – 20 individuals	78
July 2022 – June 2023	June – 12 individuals	48
July 2023 – June 2024	August - 10 individuals	31
July 2024 -	-	0
Total		291

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8.1.13 ChinaFile published details of all those arrested between July 2020 and July 2024. Focusing on the time between July 2023 and July 2024, CPIT summarised that information:

- On 5 July 2023 6 people were arrested on 5 July 2023 for ‘Raising funds for Nathan Law through the "Punish Mee" app and sedition’ under offences ‘NSL: Collusion with foreign forces and Other: Sedition.’ One further person was arrested in the same circumstances but for the NSL

⁷⁸ ChinaFile, [Tracking the Impact of Hong Kong's National Security Law](#), 14 November 2024

offence only. 2 were granted police bail (no information on the others).

- On 10 August 2023 10 people were arrested 'for connection with 612 Humanitarian Relief Fund, which received donations to advocate for sanctions against Hong Kong and assist organizations supporting people in exile. 'Under NSL: Collusion with foreign forces and Other: Inciting riot.' All were granted police bail.
- On 18 September 2023 an office clerk was arrested 'in Hung Hom for posts on the LIHKG website inciting hatred against the Hong Kong government and saying the Liaison Office should be bombed. They were charged under 'Other: Sedition' on 19 September and sentenced on the 23 November 2023. Further details of the sentence were not included.
- On 17 October 2023 one person was arrested 'in Tuen Mun for posting on Facebook and Twitter calling for Xi Jinping to be executed, sharing the "Glory" protest anthem, and other things', charged on the same date under 'Other: Sedition' and sentenced on 14 December 2023. Further details of the sentence were not included.
- On 27 November one person was arrested at Hong Kong airport for wearing a t-shirt with "Liberate Hong Kong" and "Hong Kong independence" slogans, and for possessing another person's ID card. They were charged on 29 November with 'Other: Sedition' and 'Other: Failing to provide proof of identity' and sentenced for the Sedition offence on 10 January 2024, the other charge was dropped. On 12 June 2024 the same person was arrested 'at Shek Mun MTR station for sedition under the SNSO for wearing a yellow mask and a t-shirt with the slogan "Liberate Hong Kong," as well as for loitering and for refusing to produce his ID card' and was the first person to be charged on 14 June 2024 under the 'SNSO: Sedition' as well as other charges.
- 2 people were arrested during this period on unknown dates for conspiracy to defraud related to business loans. They were granted court bail. It is not clear in the information provided how / if this relates to security crimes.
- On 13 December 2023 4 people were 'Arrested by NSD for "providing pecuniary assistance for the commission of secession by other persons" by subscribing to Nathan Law's and Ted Hui's Patreon accounts' under the NSL: Financing secession with money or other property. No further details were provided.
- On 18 January 2024 one person was 'Arrested by NSD for sedition for posts on social media platform LIHKG criticizing Hong Kong officials and the Chinese Communist Party and calling for Hong Kong independence' charged on 19 January 2204 under Other: Sedition and sentenced on 10 April 2024. Further details of the sentence were not included.
- On 28 May and 3 June 2024, 4 people were 'arrested by NSD for sedition under the SNSO for helping Chow Hang-tung post on social media to commemorate June 4 'under 'SNSO: Sedition'. Two were family members of Chow Hang-Tung. Three were granted police bail and there were no further details provided about progress of the cases.
- On 29 May 2024 'Spouse of former Alliance for Democracy Executive

Committee member Kwan Chan-pong; arrested by NSD for sedition under the SNSO for helping Chow Hang-tung post on social media to commemorate June 4th; suspected of "providing pecuniary or other financial assistance or property for commission of secession by other persons" by supporting Nathan Law and others through Patreon' under 'SNSO: Sedition' and was granted police bail.

- On 25 June 2024 a clerk was arrested by NSD 'in Tseung Kwan O for sedition under the SNSO and property damage for writing "seditious" words on the back of bus seats' under SNSO: Sedition, charged on 25 June 2024 and denied bail. No further information about the progress of the case was available.⁷⁹
- 8.1.14 HKFP in its 1 March 2025 Explainer noted in relation to the announcement that Hong Kong's largest opposition group the Democratic Party was to disband that 'Multiple members of the party have been jailed or detained over national security offences, including Helena Wong and Lam Cheuk-ting, as well as former chairs Wu Chi-wai and Albert Ho.'⁸⁰
- 8.1.15 The 2025 DFAT Thematic report noted that:
- 'National security arrests under SNSO continued at the time of publication [April 2025], including for relatively minor political acts such as social media posts and even wearing clothing with pro-independence language.
- '... International media reported in 2024 that the all-encompassing nature of the NSL and sedition provisions of the Crimes Ordinance (1971) had left anyone publicly expressing dissenting views open to arrest ... International media reported in 2023 that HKSAR authorities had refused to clarify 'red lines' regarding what was considered "politically sensitive".'⁸¹
- 8.1.16 For information on pro-democracy news media executive Jimmy Lai see [Press freedom and arrests of journalists](#)
- 8.1.17 See also [Prosecutions](#) and [Political rights](#)

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8.2 Prosecution and appeal

- 8.2.1 The CECC 2024 report noted 'Ongoing criminal prosecution on charges involving national security and sedition against individuals who peacefully exercised their rights included news media executives Jimmy Lai and Chung Pui-kuen, human rights lawyer Chow Hangtung, and student activist Joshua Wong Chi-fung.'⁸²
- 8.2.2 Sources noted the first conviction under the SNSO (Article 23) was of Chu Kai-pong who had pleaded guilty to a sedition charge for wearing a T-shirt and mask with pro-democracy slogans on. He was arrested and detained on 12 June 2024 before being convicted on 16 September and subsequently sentenced to 14 months in custody on 19 September 2024^{83 84}.
- 8.2.3 ChinaFile (for source information and methodology see paragraph 8.1.7)

⁷⁹ ChinaFile, [Tracking the Impact of Hong Kong's National Security Law](#), 14 November 2024

⁸⁰ HKFP, [Explainer: Hong Kong's national security crackdown – month 56](#), 1 March 2025

⁸¹ DFAT, [Protests: Laws, Articles and Ordinances Hong Kong ...](#) (paragraphs 3.7 & 4.16), 4 April 2025

⁸² CECC, [CECC 2024 report](#) (page 275), December 2024

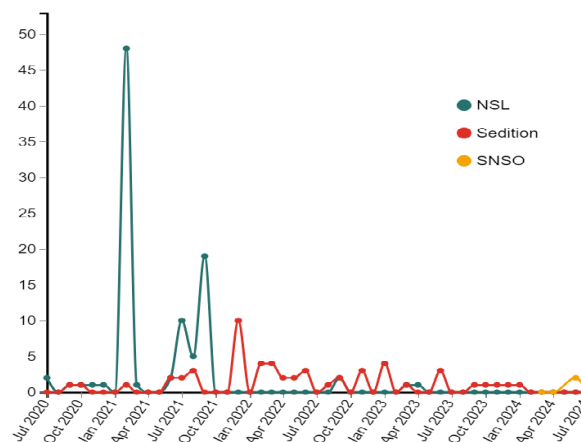
⁸³ ChinaFile, [Tracking the Impact of Hong Kong's National Security Law](#), 14 November 2024

⁸⁴ HKFP, [1 year, 2 months jail for first person convicted](#), 19 September 2024

reported between 1 July 2020 and 1 July 2024 158 people have been charged and 77 people convicted for security related offences under sedition, NSL or SNSO legislation. Out of all individuals arrested during this period (296) 53% were charged. Out of all the individuals charged (158) 89% were convicted, 10% of cases were ongoing and 1% had been acquitted⁸⁵.

- 8.2.4 China File produced the following graph showing the number of charges under the NSL, sedition and SNSO by month, which shows a peak of charges under the NSL between January and April 2021, the peak coincided with the arrests of the Hong Kong 47 (see [Unofficial primary elections 2020 and resulting criminal trials](#) for further information), followed by smaller peaks between July and October 2021. The source noted ‘Individuals with multiple charges are counted multiple times in this chart, once for each charge’⁸⁶.

Number of NSL-, Sedition-, and SNSO-Related Charges, by Month



- 8.2.5 From the ChinaFile data provided, CPIT produced the following table which shows the number of individuals charged per year. To note for people charged multiple times, only the first charge is counted here. Individuals with unknown charge dates are not included in the table below (8 people) but are included in the total 158 people charged between July 2020 and July 2024. The data indicates a general downward trend between peak numbers of individuals charged in 2020/2021 and the lowest numbers in 2023/2024 (the last available data):

Year	Month with the highest number of individuals charged	Total Number of individuals charged
July 2020 – June 2021	February – 48 individuals	65
July 2021 – June 2022	September – 16 individuals	60
July 2022 – June 2023	June 2023 – 7 individuals	19
July 2023 – June 2024	September 2023 – 2 individuals	6

⁸⁵ ChinaFile, [Tracking the Impact of Hong Kong's National Security Law](#), 14 November 2024

⁸⁶ ChinaFile, [Tracking the Impact of Hong Kong's National Security Law](#), 14 November 2024

Year	Month with the highest number of individuals charged	Total Number of individuals charged
July 2024 -	-	0
Total		150

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8.2.6 The HRW World Report 2025 covering events in 2024 noted: ‘Three people were sentenced to between 10 and 14 months in prison for “sedition” for wearing a T-shirt, making online posts, and drawing pro-democracy graffiti on buses. The Hong Kong government used the new powers under the SNSO to revoke the Hong Kong passports of six exiled activists and to deny political prisoners early release for good behavior.’⁸⁸

8.2.7 The same HRW report noted in January 2025 since 2020 176 individuals have been charged under the NSL, SNSO and since revoked ‘sedition’ law of which 161 have been convicted⁸⁹.

8.2.8 HKFP reported on 6 December 2024 the case of Ma Chun-man had been sentenced to five years in custody on appeal for chanting slogans and making speeches that called for Hong Kong’s independence between August and November 2020. He was reported to be the first Hong Kong prisoner made ineligible for early release after the SNSO was enacted in March 2024, and lost his legal challenge against the new rule meaning he would remain in custody until November 2025⁹⁰.

8.2.9 The Straits Times, an English-language Singaporean daily newspaper⁹¹, reported in March 2025 that:

‘One year after Hong Kong’s home-grown national security law was enacted, the government is now reviewing how to refine it to strengthen enforcement, even as critics label it as a tool to normalise repression in the city... Ahead of the first anniversary of the Hong Kong legislation, the government told The Straits Times that it would review its experience and “examine whether it is necessary to improve the laws and enforcement mechanisms... to be more effective in preventing, suppressing and punishing activities endangering national security”...

‘In early March, Hong Kong’s top court quashed the convictions of three key members of a now-defunct pro-democracy group that organised the city’s annual vigils to commemorate China’s 1989 Tiananmen Square crackdown, citing a miscarriage of justice.

‘The Court of Final Appeal ruled that government prosecutors’ redaction of core evidence from the case involving the members of the Hong Kong Alliance in Support of Patriotic Democratic Movements of China had “deprived the appellants of a fair trial”.

‘Following the ruling, Mr Sun Qingye, deputy head of Beijing’s Office for Safeguarding National Security in Hong Kong, said the national security law

⁸⁷ ChinaFile, [Tracking the Impact of Hong Kong’s National Security Law](#), 14 November 2024

⁸⁸ HRW, [World report 2025](#) (Hong Kong), 16 January 2025

⁸⁹ HRW, [World report 2025](#) (Hong Kong), 16 January 2025

⁹⁰ HKFP, [Article 23: Prisoner barred from early release](#), 6 December 2024

⁹¹ Britannica, [The Straits Times](#), undated

“should be revised” if it encountered any problems in its implementation.

‘Chinese Vice-Premier Ding Xuexiang, too, urged Hong Kong to act more firmly in safeguarding national security.

‘However, critics of the national security law continue to argue against it.’⁹²

8.2.10 In April 2025, Frontline Defenders reported that:

‘On 6 March 2025, the Five Court of Final Appeal judges quashed the convictions against woman human rights defender Chow Hang-tung and two other leaders of the Hong Kong Alliance in Support of Patriotic Democratic Movements of China (Hong Kong Alliance). The conviction was based on the human rights defenders’ refusal to comply with the Hong Kong police’s request in August 2021, which demanded a disclosure of extensive information about the Hong Kong Alliance’s funding, activities, board members, executives, and staff. They were convicted and sentenced to four and a half months in prison in 2023.’⁹³

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8.3 Treatment of family members of persons of interest

8.3.1 HKFP in its 1 March 2025 Explainer noted between 10 and 17 February 2025 ‘Hong Kong police took in three relatives of ex-district councillor Carmen Lau, who is wanted for allegedly breaching the national security law, to aid an investigation...’⁹⁴

8.3.2 The CECC noted ‘Hong Kong authorities exerted additional pressure [on exiled activists] by harassing their family members in Hong Kong.’⁹⁵

8.3.3 See also [Transnational application](#)

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8.4 Transnational application

8.4.1 Sources reported the arrest of a Hong Kong student in March 2023 for writing a Facebook post calling for Hong Kong’s independence. The incident took place 2 years previously while she was in Japan and she was arrested on return to Hong Kong. According to sources this was the first time a person had been arrested and convicted under the colonial-era sedition law (separate to the NSL) for overseas online speech. She pleaded guilty to sedition charges in October and on 3 November 2023 she received a 2-month custodial sentence^{96 97 98}.

8.4.2 Amnesty noted:

‘Targeting of overseas critics of the Hong Kong authorities continued. In July [2023], police issued arrest warrants for eight activists, including three former legislators, who were self-exiled in Australia, the UK and the USA. They were accused of violating the NSL and a reward of HKD 1 million (approximately USD 128,228) was offered for information leading to their

⁹² The Straits Times, [Hong Kong mulls over strengthening year-old security law...](#), 22 March 2025

⁹³ Frontline Defenders, [Hong Kong’s top Court rules in favour of ...](#), last updated 13 March 2025

⁹⁴ HKFP, [Explainer: Hong Kong’s national security crackdown – month 56](#), 1 March 2025

⁹⁵ CECC, [CECC 2024 report](#) (page 281), December 2024

⁹⁶ Amnesty International, [The State of the World’s Human Rights](#) (page 133), April 2024

⁹⁷ Taipei Times, [Hong Kong sentences student](#), 6 November 2025

⁹⁸ Reuters, [Hong Kong student jailed for 2 months](#), 3 November 2023

arrest. In October [2023], four UN experts expressed serious concerns about the issuing of the warrants and called for the NSL to be reviewed. In December, five more overseas Hong Kong activists were added to the wanted list with the same rewards offered.⁹⁹

- 8.4.3 According to the BBC 19 March 2024 article: 'In recent months, Hong Kong police has issued NSL arrest warrants and offered bounties for several people who are now overseas, such as activist Nathan Law.'¹⁰⁰
- 8.4.4 The Council on Geostrategy, a non-profit think tank¹⁰¹ in a piece by Michael Mo a PHD student at Leeds University, published 23 July 2024 noted the SNSO '...has provisions for extraterritorial application, asserting that the law applies to any person with a valid Hong Kong Identity Card (HKID), even if the person resides outside of Hong Kong.'¹⁰²
- 8.4.5 The CECC noted 'Hong Kong police issued warrants of arrest on at least 13 exiled activists and offered rewards for information leading to their arrest. These individuals advocated for democratic reform and for imposing financial sanctions on Hong Kong and People's Republic of China (PRC) officials who perpetrated human rights violations. A group of United Nations (U.N.) experts expressed serious concern over the case, saying that the Hong Kong government was punishing people for political speech.'¹⁰³
- 8.4.6 The same CECC report noted 'As extraterritorial enforcement is authorized under national security laws, Hong Kong authorities targeted exiled activists ... The arrest of a Hong Kong official in the United Kingdom also exposed the government's scheme of monitoring exiled activists in an apparent effort to undermine their advocacy.'¹⁰⁴
- 8.4.7 A December 2024 Sky News article stated:
- 'Hong Kong has imposed arrest warrants and HK\$1m bounties on six pro-democracy campaigners, including a 19-year-old living in the UK after fleeing the city...
- 'It brings the total of exiled Hong Kongers with arrest warrants and bounties worldwide to 19.
- Activist Chloe Cheung, 19, said she was woken up "by dozens of people phoning and texting me" overnight as the Hong Kong authorities held a news conference at which she and five others were named in a new list of people with HK\$1m (£102,663) bounties on their heads.
- She is accused of "incitement to secession" and "collusion with a foreign country or with external elements to endanger national security".¹⁰⁵
- 8.4.8 HKFP in its 1 March 2025 Explainer noted in relation to the suspension of research by The Hong Kong Public Opinion Research Institute (PORI) that '...former [PORI] deputy CEO Chung Kim-wah, currently in the UK, was added to a wanted list in December 2024 over alleged violations of Beijing-

⁹⁹ Amnesty International, [The State of the World's Human Rights](#) (page 133), April 2024

¹⁰⁰ BBC News, [HK NSL: what it is and why is it worrying?](#), 19 March 2024

¹⁰¹ Council on Geostrategy, [Our Mission](#), no date

¹⁰² Council on Geostrategy, [Four years on: Hong Kong after the National Security Law](#), 23 July 2024

¹⁰³ CECC, [CECC 2024 report](#) (page 275), December 2024

¹⁰⁴ CECC, [CECC 2024 report](#) (page 281), December 2024

¹⁰⁵ Sky News, [Hong Kong issues arrest warrant for activist, 19, in UK and five ...](#), 24 December 2024

imposed national security law.’¹⁰⁶

8.4.9 Hong Kong’s estimated population at year-end 2024 was 7.5 million¹⁰⁷.

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9. Freedom of expression

9.1 Press freedom and arrests of journalists

9.1.1 The US Department of State Country Reports on Human Rights Practices 2023 report, published 23 April 2024 (USSD report 2023) noted ‘As of October [2023], two foreign journalists of Chinese descent remained detained on “espionage” charges: Swedish publisher Gui Minhai, founder of a Hong Kong publishing house, who was sentenced in 2020 to 10 years in prison; and Australian journalist Yang Hengjun, arrested in 2019 and since detained without a verdict.’¹⁰⁸

9.1.2 Reporters without Borders (RSF), a Paris-based international non-governmental organisation focused on press freedom, in its 22 November 2024 report noted ‘Hong Kong has fallen dramatically in RSF’s World Press Freedom Index, ranking 135th out of 180 countries [180 being the least free] and territories surveyed, compared to 18th two decades prior.’¹⁰⁹ HKFP noted in 2019 ‘The city fell to 73rd place in RSF’s 2019 World Press Freedom Index after rising to 70th the year before, marking a return to its 2017 ranking. In 2009, Hong Kong was ranked at 48th place... The full list covers 180 territories.’¹¹⁰

9.1.3 The same RSF report noted:

‘On ... 19 November 2024, three leading voices in the defence of press freedom in Hong Kong were sentenced to prison: four years and five months for media founder Frankie Fung [co-founder of defunct news site DB Channel], seven years for former journalist Gwyneth Ho [Stand News], and four years and two months for former journalist and former legislator Claudia Mo.

‘Prosecuted alongside 44 others in the largest trial of the pro-democracy movement since the Chinese regime enacted the Hong Kong National Security Law, they were convicted of various charges under this legislation, including “conspiracy to subversion” and “subversion.” ... Since Hong Kong’s national security law was introduced in 2020, the authorities have waged a relentless war on the right to information. At least 28 journalists and press freedom defenders have been prosecuted, with 11 currently behind bars.’¹¹¹ For more details on this trial see [Unofficial primary elections 2020 and resulting criminal trials](#).

9.1.4 RSF noted, at the time of writing on 11 March 2025 11 journalists were detained¹¹².

9.1.5 According to a BBC News 19 March 2024 article:

¹⁰⁶ HKFP, [Explainer: Hong Kong’s national security crackdown – month 56](#), 1 March 2025

¹⁰⁷ Government of HKSAR Census and Statistics Department, [Population Estimates](#), no date

¹⁰⁸ USSD, [2023 HR report](#), 23 April 2024

¹⁰⁹ RSF, [Hong Kong 47” Trial](#), 22 November 2024

¹¹⁰ RSF, [Hong Kong stumbles in RSF Press Freedom Index](#), 18 April 2019

¹¹¹ RSF, [Hong Kong 47” Trial](#), 22 November 2024

¹¹² RSF, [Hong Kong](#) (Detained as of today), no date

'Numerous pro-democracy news outlets in Hong Kong have shut down, including Lai's Apple Daily, which was known to be critical of the mainland Chinese leadership. "The arrests worsened the feeling of fear prevalent among journalists since the enactment of the national security law," Chris Yeung, a veteran journalist and former chairman of the Hong Kong Journalists' Association, had earlier told the BBC. He said the law had "caused far more damaging impacts on freedoms and way of life" than many people had previously envisaged.'

¹¹³

- 9.1.6 Sources have reported on pro-democracy news media executive Jimmy Lai's national security trial. Detained since 2020 and in solitary confinement since 2021, his trial began in December 2023 and as at 3 March 2025 remains ongoing^{114 115 116 117}. He is charged with 'collusion with foreign countries or external elements and 'conspiracy' to commit that offence under the NSL¹¹⁸.
- 9.1.7 Amnesty noted that in March 2024: '5 UN human rights experts wrote to the Chinese government to express their grave concern about the arrest, detention and multiple prosecutions of Jimmy Lai in apparent connection with his criticism of the Chinese government and support for democracy in Hong Kong'.¹¹⁹ On 19 November 2024 Sky News reported: 'More than 100 politicians from 24 different countries, including the UK, the US and the EU, have written a joint letter condemning China over the "arbitrary detention and unfair trial" of Jimmy Lai, a tycoon and pro-democracy campaigner.'¹²⁰
- 9.1.8 The CECC 2024 report, in relation to the same Jimmy Lai trial noted: 'Irregularities reported include allegations that a government witness suffered torture when he was detained in mainland China and that Lai's legal team received death and rape threats and were the targets of online surveillance and cyber-attacks.'¹²¹
- 9.1.9 The same CECC report noted:

'In April 2024, Hong Kong officials at the airport detained Aleksandra Bielakowska, who was an advocacy officer for Reporters Without Borders (RSF), deporting her after six hours of questioning during which she and her belongings were searched three times. Bielakowska was traveling to Hong Kong to meet with other journalists and to monitor Jimmy Lai's trial. An RSF director said that the organization had "never experienced such blatant efforts by authorities to evade scrutiny of court proceedings in any country ..."'¹²²
- 9.1.10 Human Rights Watch's World Report 2025, covering events in 2024 noted:

'In September... the government denied work visa and entry into the city to an Associated Press photojournalist who took photos of Jimmy Lai in prison.

¹¹³ BBC News, [HK NSL: what it is and why is it worrying?](#), 19 March 2024

¹¹⁴ Amnesty International, [The State of the World's Human Rights](#) (page 132), April 2024

¹¹⁵ HRW, [World report 2025](#) (Hong Kong), 16 January 2025

¹¹⁶ Sky News, [Jimmy Lai's son...](#), 3 March 2025

¹¹⁷ CPJ, [Special Report China jailers of journalists](#), 16 January 2025

¹¹⁸ CECC, [CECC 2024 report](#) (page 277), December 2024

¹¹⁹ Amnesty International, [The State of the World's Human Rights](#) (page 132), April 2024

¹²⁰ Sky News, [Over 100 politicians condemn China over detention of Jimmy Lai](#), 19 November 2024

¹²¹ CECC, [CECC 2024 report](#) (page 277), December 2024

¹²² CECC, [CECC 2024 report](#) (page 277), December 2024

'The Hong Kong government has repeatedly harassed the Hong Kong Journalist Association, including making a claim for HK\$400,000 (US\$51,000) [£39,756¹²³] in back taxes. Both Radio Free Asia, funded by the US government, and *Epoch Times*, a media outlet run by the persecuted religious group Falun Gong, closed their Hong Kong offices in 2024.'¹²⁴

9.1.11 The CECC noted the trial of former chief editor Chung Pui-kuen and acting chief editor Patrick Lam of closed non-profit digital news outlet Stand News accused of publishing seditious materials concluded in April 2023 and the verdict remained pending as of April 2024¹²⁵. HKNP noted on 29 August 2024 Lam and Chung were detained for nearly a year following their arrests in December 2021. They were granted bail after the trial began both were found guilty of sedition on 29 August 2024, Lam was not present due to a health issue¹²⁶. On 26 September 2024 Chung received a 21-month custodial sentence and Lam was released for time spent on remand^{127 128}.

9.1.12 The Committee to Protect Journalists (CPJ) a New York-based non-profit organisation¹²⁹ in its Annual report on the detention of journalists, covering 2024, published 16 January 2025, noted:

'Journalists detained in 2020 and 2021, as authorities' cracked down on the city's pro-democracy movement, remain in jail amid repeated legal delays. In addition to Lai, six journalists and media executives from Lai's Next Digital Limited and now-defunct Apple Daily newspaper – Lam Man-chung, Fung Wai-kong, Yeung Ching-kee, Cheung Kim-hung, Ryan Law Wai-kwong, and Chan Pui-man – have spent more than three years behind bars as they await sentencing on charges of conspiring to collude with foreign powers'¹³⁰

9.1.13 The 2025 DFAT Thematic report noted that: 'Local academics stated in June 2024 that the definition and scope of some offences under SNSO were too broadly defined, meaning that journalists could inadvertently break laws during their news-gathering activities and would be unable to use a 'public interest defence' to avoid being imprisoned for not disclosing their knowledge of potentially treasonous activities to police.'¹³¹

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9.2 Academic freedom

9.2.1 The Friedrich-Alexander-Universität Institute of Political Science (FAU)'s Academic Freedom Index (AFI) 'assesses de facto levels of academic freedom across the world based on five indicators: freedom to research and teach; freedom of academic exchange and dissemination; institutional autonomy; campus integrity; and freedom of academic and cultural expression.'¹³² In their report published 13 March 2025 it notes that Hong Kong is in the bottom 20-30% of 179 countries and also notes that Hong Kong has experienced statistically significant declining cases of academic

¹²³ XE.com, [400,000 HKD to GBP](#), 17 March 2025

¹²⁴ HRW, [World report 2025](#) (Hong Kong), 16 January 2025

¹²⁵ CECC, [CECC 2024 report](#) (page 278), December 2024

¹²⁶ HKFP, [2 Hong Kong journalists ...found guilty of sedition](#), 29 August 2024

¹²⁷ HRW, [World report 2025](#) (Hong Kong), 16 January 2025

¹²⁸ HKFP, [Ex-editor ...Chung Pui-kuen jailed for 1 year, 9 months...](#), 26 September 2024

¹²⁹ CPJ, [About us](#), no date

¹³⁰ CPJ, [Special Report China jailers of journalists](#), 16 January 2025

¹³¹ DFAT, [Protests: Laws, Articles and Ordinances Hong Kong ...](#) (paragraph 3.33), 4 April 2025

¹³² FAU, [Academic Freedom Index](#), no date

freedom over the past ten years¹³³.

9.2.2 University World News (UWN), an online global higher education publication which provides news and analysis¹³⁴ reported on 1 November 2023 the dismissal of Rowena He, an associate professor of history at the Chinese University of Hong Kong (CUHK) known for her research on the 1989 Tiananmen Square movement and academic freedom. He was terminated from her position on 23 October 2023 two days after her visa was rejected by Hong Kong's immigration department over 'potential security risks'.¹³⁵

9.2.3 The same UWN report noted:

'Academics in Hong Kong were quick to note that the visa rejection came after China's official Wen Wei Po newspaper published an opinion piece in February by a pro-Beijing figure in Hong Kong which argued CUHK should eliminate "anti-China and disruptive Hong Kong elements". The article also accused He by name of "slandering and attacking the Chinese government", referring to a politics course she had taught at Harvard University. The article accused her of using history to 'brainwash' students into anti-China and anti-Hong Kong thinking.'¹³⁶

9.2.4 The HRW report "'We Can't Write the Truth Anymore" Academic Freedom in Hong Kong under the National Security Law', based on interviews with 25 academics and 8 students from all eight publicly funded Hong Kong universities between October 2022 and June 2024¹³⁷, published 24 September 2024 noted '...the severe decline in academic freedom and the rights to freedom of expression, association, and peaceful assembly on Hong Kong's eight publicly funded universities since June 2020...'.¹³⁸

9.2.5 The same HRW report noted:

'University officials have harassed the once influential student unions at all eight universities... have scrubbed clean notice boards known as the "Democracy Walls,"...have punished students for holding peaceful protests and gatherings, and have broadly censored student publications, communications, and events...

'While there is widespread agreement among the students and faculty whom Human Rights Watch interviewed that the campus environment has become significantly more repressive, interpretations differ as to the impact of the National Security Law on "the actual act of scholarship," as one academic put it. Most students and faculty interviewed said they self-censor regularly on any Hong Kong and Chinese socio-political topics to avoid trouble...

'The National Security Law's impact on students and faculty depends in significant measure on who they are, what subject they study, their career status, and the perceived power dynamics vis-à-vis the Chinese government... Academics from Hong Kong, especially those who teach or are otherwise involved in current Hong Kong and China affairs, feel especially vulnerable... A small number of academics—those who teach

¹³³ FAU, [Academic Freedom Index](#), 2025

¹³⁴ UWN, [About us](#), no date

¹³⁵ UWN, [Dismay over university's sacking of scholar denied a visa](#), 1 November 2023

¹³⁶ UWN, [Dismay over university's sacking of scholar denied a visa](#), 1 November 2023

¹³⁷ HRW, [Academic Freedom in Hong Kong under the NSL](#) (Methodology), 24 September 2024

¹³⁸ HRW, [Academic Freedom in Hong Kong under the NSL](#) (Summary), 24 September 2024

physical sciences, those who are well established in their fields, those who are not ethnically Chinese, and those holding passports from major democracies—told us they felt little or no pressure to self-censor’.¹³⁹

9.2.6 In response to the HRW report, the HKSAR government news website issued a statement on 25 September 2024 which:

‘...strongly condemned and rejected the report...noting that its content is all malicious smears and sweeping remarks...

‘According to Article 137 of the Basic Law, educational institutions of all kinds may retain their autonomy and enjoy academic freedom. Hong Kong residents can exercise their freedom of expression legitimately, including criticising government policies or decisions made by officials.

‘The offences stipulated in the NSL and the SNSO clearly define their elements, penalties, exceptions and defences. These laws actively prevent, suppress and punish acts and activities that endanger national security, in accordance with the principle of the rule of law.

‘Additionally, they target an extremely small minority of people and organisations that pose a threat to national security, while protecting the lives and property of the public. Law-abiding people including students, scholars, and other academics will not engage in acts and activities that endanger national security and will not unwittingly violate the law, and have no reason to be worried.’¹⁴⁰

9.2.7 Radio Free Asia (RFA), which states it ‘provide[s] independent, uncensored and accurate local news ...in media environments vulnerable to authoritarian disinformation’¹⁴¹ reporting on the same September HRW report noted on 26 September 2024

‘Academics have also told Radio Free Asia that university departments no longer dare to offer courses deemed politically risky, for fear of running afoul of security laws, while being obliged to offer patriotic " national security education" as a mandatory class...

‘... [A] Hong Kong university student who asked to remain anonymous for fear of reprisals told RFA Cantonese that both students and faculty are extremely careful about what they say in public these days, for fear of being reported to the authorities. Students also ask fewer questions in class, and there is less public academic discussion, they said.’¹⁴²

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9.3 Pro-democracy groups and NGOs

9.3.1 OCHCR’s Compilation of information stated:

‘The Committee recommended that Hong Kong, China refrain from taking any action that was likely to curb the exercise of freedom of association, and ensure a safe environment for the activities of civil society organizations, including trade unions and student unions; and ensure that members and representatives of civil society organizations were not charged under the

¹³⁹ HRW, [Academic Freedom in Hong Kong under the NSL](#) (Summary), 24 September 2024

¹⁴⁰ Government of HKSAR, [Report on academic freedom rejected](#), 25 September 2024

¹⁴¹ RFA, [About us](#), no date

¹⁴² RFA, [Staff, students 'tread carefully' at Hong Kong's eight universities](#), 26 September 2024

National Security Law or victimized in any other way as a result of their engagement with international human rights mechanisms.’¹⁴³

9.3.2 Amnesty in its report covering events in 2023 noted:

‘Prosecutions of members of pro-democracy and human rights groups continued even though most such groups had ceased to operate after the introduction of the NSL in 2020. On 4 March, three members of the Hong Kong Alliance in Support of Patriotic Democratic Movements in China (Hong Kong Alliance) – Chow Hang-tung, Tang Ngokkwan and Tsui Hon-kwong – were found guilty of failure to comply with a 2021 police request under the NSL to provide information about the group’s membership, funding and activities. Chow Hang-tung, former vice-chair of the Hong Kong Alliance, refused to comply with bail conditions that restricted her right to freedom of expression and therefore remained in detention pending the outcome of her appeal. She was subjected to solitary confinement on multiple occasions, amounting to a total of 82 days.’¹⁴⁴

9.3.3 The BBC noted one of the provisions of the NSL was that ‘Management of foreign non-governmental organisations ...will be strengthened’.¹⁴⁵

9.3.4 The CECC 2024 report noted ‘Annual vigils commemorating the violent suppression of the 1989 Tiananmen protests were no longer held. In past years, authorities initially denied applications to hold the vigils on public health grounds. More recently, no such applications have been made, because the organizing group dissolved after its core leaders became political prisoners.’¹⁴⁶

9.3.5 HKFP in its 1 March 2025 Explainer noted ‘The Hong Kong Public Opinion Research Institute (PORI) announced on February 13 [2025] that it would suspend all self-funded research and may “even close down.” The news came just weeks after its CEO, Robert Chung, was investigated twice by national security police... the [PORI] statement said. “HKPORI has always been law-abiding, but in the current environment, it has to pause its promotion of scientific polling.”’¹⁴⁷

9.3.6 The same HKFP report noted the announcement that Hong Kong’s largest opposition group the Democratic Party was to disband. The report quoted the party’s chairperson Lo Kin-hei who stated ‘...the committee had considered the “overall political environment” in making its decision... “Developing democracy in Hong Kong is always difficult, especially over the past few years,” he told journalists. “We see a lot of civil society groups or political parties disbanding or dissolving.”’¹⁴⁸

9.3.7 See also [Arrests of activists](#)

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10. Political rights

10.1 Unofficial primary elections 2020 and resulting criminal trials

¹⁴³ OCHCR, [Compilation of information](#) (paragraph 73), 15 November 2023

¹⁴⁴ Amnesty International, [The State of the World’s Human Rights](#) (page 132), April 2024

¹⁴⁵ BBC News, [HK NSL: what it is and why is it worrying?](#), 19 March 2024

¹⁴⁶ CECC, [CECC 2024 report](#) (page 275), December 2024

¹⁴⁷ HKFP, [Explainer: Hong Kong’s national security crackdown – month 56](#), 1 March 2025

¹⁴⁸ HKFP, [Explainer: Hong Kong’s national security crackdown – month 56](#), 1 March 2025

- 10.1.1 The Legislative Council (LegCo) is described by the BBC as an elected ‘mini parliament’ which makes and amends Hong Kong’s laws, approves budgets and taxes and endorses the appointments of judges¹⁴⁹.
- 10.1.2 In July 2020 more than half a million Hong Kong residents defied the government to vote in an unofficial primary election to narrow down the opposition candidates competing in September 2020 elections for the city’s LegCo. The turnout, which was more than 3 times that expected by the organizers, came despite government statements that the effort could violate provisions of the national security law^{150 151}.
- 10.1.3 Sources reported on ‘the Hong Kong 47’ the largest national security case in Hong Kong where 47 people were arrested for their involvement in organising an unofficial legislative council election primary in 2020. The group included prominent pro-democracy figures Jimmy Lai, Joshua Wong and Benny Tai. The trial began in February 2023 and in May 2024, 14 defendants were convicted of conspiracy to commit subversion, while 31 others had pleaded guilty earlier. In November 2024, all 45 convicted individuals received prison sentences ranging from just over four years to ten years, with Benny Tai receiving the longest sentence for being the “mastermind” behind the alleged conspiracy. Two defendants were acquitted^{152 153 154 155 156}.
- 10.1.4 Aside from the prominent activists widely named in reports, The Federal Office for Migration and Refugees (Germany) (BAMF) in their Briefing Notes dated 25 November 2024 noted the trial involved: ‘43 other individuals who were also involved in the preliminary elections, including three other election organisers, two former MPs, 16 former district councillors and twelve other activists.’¹⁵⁷
- 10.1.5 Amnesty noted, in April 2024 in relation to the same trial ‘Most were detained for over two years before the start of the trial’.¹⁵⁸ The CECC 2024 report noted ‘Most defendants were denied bail and had spent over three years in detention since their January 2021 arrests.’¹⁵⁹ And BAMF noted ‘Many of those convicted have already been in custody since charges were brought against them on 28.02.21.’¹⁶⁰
- 10.1.6 The UN Office of the High Commissioner for Human Rights (OCHCR), in relation to the same national security trial, in a press release dated 19 November 2024 stated:
- ‘We are gravely concerned by the use of the National Security Law to convict and impose harsh sentences on 45 people in the Hong Kong Special Administrative Region today. The use of such security laws of sweeping

¹⁴⁹ BBC News, ‘[Hong Kong: Why the Legco elections are so controversial](#)’, 19 December 2021

¹⁵⁰ Japan Times, ‘[Hong Kong pro-opposition primary voters defy threats...](#)’, 13 July 2020

¹⁵¹ BBC News, ‘[Hong Kong: Opposition primaries draw thousands...](#)’, 12 July 2020

¹⁵² BBC News, ‘[HK NSL: what it is and why is it worrying?](#)’, 19 March 2024

¹⁵³ Amnesty International, ‘[The State of the World’s Human Rights](#)’ (page 132), April 2024

¹⁵⁴ HRW, ‘[World report 2025](#)’ (Hong Kong), 16 January 2025

¹⁵⁵ CECC, ‘[CECC 2024 report](#)’ (page 275), December 2024

¹⁵⁶ BAMF, ‘[Briefing Notes](#)’ (China), 25 November 2024

¹⁵⁷ BAMF, ‘[Briefing Notes](#)’ (China), 25 November 2024

¹⁵⁸ Amnesty International, ‘[The State of the World’s Human Rights](#)’ (page 132), April 2024

¹⁵⁹ CECC, ‘[CECC 2024 report](#)’ (page 275), December 2024

¹⁶⁰ BAMF, ‘[Briefing Notes](#)’ (China), 25 November 2024

breadth results in the criminalisation of conduct protected by human rights to freedom of expression, peaceful assembly, and association.

‘The High Commissioner calls for these convictions and sentences to be carefully reviewed by appellate courts against the international human rights obligations binding upon HKSAR. All cases not fully meeting these standards should be quashed. The UN Human Rights Office, UN Special Procedures and UN human rights treaty bodies have repeatedly called on the HKSAR authorities to repeal the National Security Law.’¹⁶¹

- 10.1.7 For more information on the unofficial primary election for the September 2020 LegCo elections see the archived [version 3.0 of this CPIN](#), (section 7).

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10.2 Changes to the LegCo and District Council election system

- 10.2.1 The Council on Geostrategy, in a piece by Michael Mo a PHD student at Leeds University, published 23 July 2024 explained:

‘In May 2021, the Legislative Council passed the Improving Electoral System (Consolidated Amendments) Bill proposed by the Carrie Lam (Former Chief Executive of Hong Kong) administration. The bill reduced the number of directly elected seats from 35 to 20, and re-introduced the Election Committee Constituency, ... adding 40 seats. Crucially, all candidates, irrespective of their constituencies, must secure at least two nominations from each of the five sectors in the Election Committee (EC) and are vetted by the newly established Candidate Eligibility Review Committee (CERC) to confirm their allegiance to the Basic Law.’¹⁶²

- 10.2.2 The same report noted further changes affecting the District Councils:

‘In 2023, John Lee, the current Chief Executive, introduced the District Councils (Amendment) Bill which was passed by the Legislative Council in July of the same year. Similar to the changes in the Legislative Council, the bill reduced the directly elected seats in each of the 18 districts, re-introduced government-appointed members, and created indirectly elected seats produced through an electoral college in each district consisting of government-appointed members from three district committees. Candidates running for direct election must obtain at least three nominations from each of the three district committees, while all candidates must also pass the allegiance vetting from the District Council Eligibility Review Committee. Moreover, the restructured DCs have abandoned the rule in which chairpersons were elected from among councillors. Instead, District Officers, all of whom are career civil servants, now serve as the ex-officio chairpersons. Important functions of the DCs have also been stripped...

‘The impact of the bill restricting pro-democracy candidates from running for the DCs is more apparent than in the Legislative Council. In the first DC election held under the revised rules in December 2023, none of the pro-democracy activists and incumbent councillors obtained enough nominations to contest the said election. Despite the government’s campaign to boost voter turnout, the DC Election saw a turnout rate of 27.59%, the lowest ever

¹⁶¹ OCHCR, [Hong Kong: Grave concerns over sentencing under NSL](#), 19 November 2024

¹⁶² Council on Geostrategy, [Four years on: Hong Kong after the National Security Law](#), 23 July 2024

recorded since the DC was established in 1982.¹⁶³

10.2.3 The current term of the Legislative Council (LegCo) will end on 31 December 2025 and elections are expected to be held at the end of 2025¹⁶⁴ ¹⁶⁵. At the time of writing, no exact date had been announced.

10.2.4 For more information on changes to the LegCo prior to June 2022 the archived [version 3.0 of this CPIN](#) (section 7).

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¹⁶³ Council on Geostrategy, [Four years on: Hong Kong after the National Security Law](#), 23 July 2024

¹⁶⁴ Government of HKSAR, [Legislative Council General Election](#), 23 October 2024

¹⁶⁵ CIA, [The World Fact Book](#) (Government), 28 March 2025

Research methodology

The country of origin information (COI) in this note has been carefully selected in accordance with the general principles of COI research as set out in the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation's (ACCORD), [Researching Country Origin Information – Training Manual](#), 2024. Namely, taking into account the COI's relevance, reliability, accuracy, balance, currency, transparency and traceability.

Sources and the information they provide are carefully considered before inclusion. Factors relevant to the assessment of the reliability of sources and information include:

- the motivation, purpose, knowledge and experience of the source
- how the information was obtained, including specific methodologies used
- the currency and detail of information
- whether the COI is consistent with and/or corroborated by other sources

Commentary may be provided on source(s) and information to help readers understand the meaning and limits of the COI.

Wherever possible, multiple sourcing is used and the COI compared to ensure that it is accurate and balanced, and provides a comprehensive and up-to-date picture of the issues relevant to this note at the time of publication.

The inclusion of a source is not, however, an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a footnote.

Full details of all sources cited and consulted in compiling the note are listed alphabetically in the [bibliography](#).

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Terms of Reference

The 'Terms of Reference' (ToR) provides a broad outline of the issues relevant to the scope of this note and forms the basis for the [country information](#).

The following topics were identified prior to drafting as relevant and on which research was undertaken:

- Legal context
 - NSL, SNSO and other laws such as sedition
 - Law enforcement
 - Bail
 - Judiciary
 - Retrospective application
- Application of the law
 - Arrests
 - Prosecution and conviction
 - Treatment of family members
 - Transnational application
- Freedom of expression
 - Press freedom
 - Journalists and treatment
 - Academic freedom
 - Pro-democracy groups
- Political rights
 - Unofficial primary elections 2020
 - Changes to LegCo

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Version control and feedback

Clearance

Below is information on when this note was cleared:

- version **4.0**
- valid from **9 April 2025**

Official – sensitive: Not for disclosure – Start of section

The information in this section has been removed as it is restricted for internal Home Office use only.

Official – sensitive: Not for disclosure – End of section

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Changes from last version of this note

Minor update to include information on Article 23.

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Feedback to the Home Office

Our goal is to provide accurate, reliable and up-to-date COI and clear guidance. We welcome feedback on how to improve our products. If you would like to comment on this note, please email the [Country Policy and Information Team](#).

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The [Independent Advisory Group on Country Information](#) (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to support them in reviewing the efficiency, effectiveness and consistency of approach of COI produced by the Home Office.

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Information about the IAGCI's work and a list of the documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's pages of the [gov.uk website](#).

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