



UN Human Rights Mechanisms and Hong Kong: Strategically Using Limited Tools



**RESILIENCE
INNOVATION
LAB**

2026

TABLE OF CONTENTS

Foreword	2
1. Introduction	4
2. UN Human Rights Mechanisms	6
3. UN Treaty Bodies' Responses to the National Security Law (NSL)	10
4. UN Special Procedures' Responses to the NSL	14
5. UN OHCHR's Responses to the NSL	20
6. Interventions at the UN Human Rights Council	27
7. Hong Kong Governments' Reactions	34
8. Utilities and Limitations	42
9. New Trend: Transnational Repression and the UN's Responses	46
10. Conclusion	48
About Us	50

FOREWORD

UN Human Rights Mechanisms and Hong Kong: Strategically Using Limited Tools is the third report by Resilience Innovation Lab (RIL) since 2025. While scepticism towards the effectiveness and necessity of international bodies and the rules-based international order has been growing in recent years, post-war international bodies, including the United Nations (UN), continue to promote universal values, aid countries in need, and facilitate peaceful dispute resolutions between member states and territorial autonomies in meaningful ways.

One of our key missions is to build “rule of law resilience” in repressive societies where laws and courts are often weaponised for a state’s political interests and security. We believe that building a rule of law culture and improving rule of law institutions are equally important, as they are mutually constitutive. In certain contexts where upholding robust rule of law institutions is less practical, cultivating a rule of law culture that stresses peaceful dispute resolution, judicial independence, equality before the law, fundamental protections of civil liberties and limiting government, becomes urgent and significant.

Against this background, this report documents and analyses the published statements and discourse from the UN human rights bodies in relation to Hong Kong, assessing whether and how these narratives and opinions can be instrumentalised for stretching public debate and resilience to speech suppression by anti-rights authorities.

Based on our observations, the case of Hong Kong serves as a textbook case, showing how international human rights can be used to build rule of law norms and values, and benefits community resilience amid growing risks of international engagement. Hong Kong is one of the few jurisdictions which are permitted to formally engage with the UN system without membership, given that Hong Kong is not a sovereign state but a special administrative region of the People’s Republic of China (China / PRC). Leveraging narratives and discourse from UN human rights bodies may not bring immediate or effective change. Nevertheless, they provide alternative values and judgements that stakeholders can disseminate and debate. Before the day when the entire international system collapses, for now, the UN human rights bodies’ limited tools remain strategically useful for cultivating norms and culture that triumph individual liberty and autonomy to overstretched regime security.

Finally, we must thank our researchers and co-authors who provided rich research support and suggestions for this report: Anouk Wear, Morgan Lee and Owen Au. We also thank Dr Eric Lai of the Georgetown Center for Asian Law, the International Service for Human Rights (ISHR), and an anonymous veteran human rights practitioner in Asia Pacific, for their invaluable feedback to the report drafts. We hope that this report can serve as an information guide, for all those who are interested in human rights education, research and advocacy, as well as broadly defined strategic litigation in local and multilateral platforms, ensuring Hong Kong and other territorial autonomies keep visibility in global governance today.

Resilience Innovation Lab, 2026

1

INTRODUCTION

On 9 February 2026, after a 20-year jail sentence was handed down against *Apple Daily* founder and pro-democracy activist, Jimmy Lai Chee-ying, the UN High Commissioner for Human Rights Volker Türk, issued a statement: He was concerned that this sentencing criminalised freedom of expression and association and that the National Security Law (NSL) was applied retroactively. He called, again, for the immediate release of those arbitrarily detained under these laws and for their repeal or amendment in line with international standards, and for Hong Kong to conform with international law.¹

Since the enactment of the NSL in the Hong Kong Special Administrative Region of the People's Republic of China (Hong Kong) on 30 June 2020, the United Nations (UN) human rights mechanisms—namely the treaty bodies (TBs), special procedures (SPs), the Human Rights Council (HRC), and the Office of the High Commissioner for Human Rights (OHCHR)—have scrutinised its enforcement and assessed

¹ Office of the United Nations High Commissioner for Human Rights, “Hong Kong SAR: Türk urges release of Jimmy Lai following imposition of 20-year sentence,” Press release, February 9, 2026, <https://www.ohchr.org/en/press-releases/2026/02/hong-kong-sar-turk-urges-release-jimmy-lai-following-imposition-20-year>

its compatibility with international human rights law.

This report, authored by researchers and experts with Resilience Innovation Lab (RIL), provides a comprehensive overview of Hong Kong-related UN statements issued by the treaty bodies, special procedures, the Human Rights Council, and the OHCHR. It examines whether and how these recommendations and observations contribute to strengthening Hong Kong's human rights protection framework—including the role of the judiciary—and how they continue to shape civic engagement and public affairs on the ground today.

These engagements demonstrate that UN mechanisms continue to serve as robust international platforms for human rights dialogue and intervention, and how UN human rights mechanisms remain effective for improving the human rights situation in Hong Kong.

The methodology for this research is English and Chinese open-source investigation from official sources, media reports, dialogues with human rights defenders, and access to existing databases by global civil society actors.² The report was authored by multiple researchers and supervised by RIL.

This report does not debate whether the UN as a whole is an effective body for upholding a rule-based international order.³ Rather, this report is a tool for policymakers, journalists, researchers, educators and the public to recognise and appreciate the UN response to human rights crises in Hong Kong, and inspire creative strategies for human rights interventions in the future.

2 Raphaël Viana David, “Repository of United Nations Recommendations on Human Rights in Hong Kong” ISHR, 4 January 2024 <https://ishr.ch/defenders-toolbox/resources/repository-of-united-nations-recommendations-on-human-rights-in-hong-kong/>

3 For more information, read two recent reports by the International Service for Human Rights (ISHR): International Service for Human Rights. “Budget Battles at the UN: How States Try to Defund Human Rights,” 2025. <https://ishr.ch/wp-content/uploads/2025/10/20251020-O-ISHR-BudgetBattlesAtTheUN-Report-A4-EN-web.pdf>; International Service for Human Rights. “China’s Efforts to Block Civil Society Access to the United Nations,” 2025. https://ishr.ch/wp-content/uploads/2025/04/ISHR-2025-Report_China-UN-Access-2.pdf

2

UN HUMAN RIGHTS MECHANISMS

The international commitment to human rights is based on international human rights treaties and respective UN rights mechanisms. State parties' obligation to protect specific human rights are delineated in treaties they have ratified, and they also have obligations as UN Members.

There are two types of UN human rights mechanisms: treaty-based bodies and charter-based bodies. The treaty-based bodies primarily monitor the state parties' implementation of specific core international human rights treaties, and charter-based bodies primarily address UN member states in cases of gross violations of rights.

TREATY BODIES MECHANISM

Treaty body committees are composed of independent experts, and each committee looks over a specific core treaty and ensures that the states that ratified or acceded to this treaty are complying with their international legal obligations. The treaty bodies are as follows:⁴

⁴ United Nations Human Rights Office of the High Commissioner. "Treaty Bodies," n.d. <https://www.ohchr.org/en/treaty-bodies>

Committee	Treaty	Treaty in Force
Committee on the Elimination of Racial Discrimination	International Convention on the Elimination of All Forms of Racial Discrimination (CERD)	1969
Committee on Economic, Social and Cultural Rights	International Covenant on Economic, Social and Cultural Rights (ICESCR)	1976
Human Rights Committee	International Covenant on Civil and Political Rights (ICCPR)	1976
Committee on the Elimination of Discrimination against Women	Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)	1981
Committee Against Torture	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment (CAT)	1987
Committee on the Rights of the Child	Convention on the Rights of the Child (CRC)	1990
Committee on Migrant Workers	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW)	2003
The Subcommittee on Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment	Optional Protocol of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment	2006
Committee on the Rights of Persons with Disabilities	Convention on the Rights of Persons with Disabilities (CRPD)	2008
Committee on Enforced Disappearances	International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED)	2010

During each review, the state will submit a report of how the treaty has been implemented, and the committee examines it and asks for additional information, which the state can provide in written replies and/or hearings, which forms part of the review process as a “constructive dialogue”, and then the committee publishes concluding observations. This document identifies concerns and makes recommendations to the state, and the state can respond or comment.

Seven⁵ international human rights treaties are applicable to Hong Kong:⁶ the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT), the Convention on the Rights of the Child (CRC), the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), and the International Convention on the Rights of Persons with Disabilities (ICRPD).

Six of these treaties, apart from the CRPD which did not yet exist, were extended to Hong Kong by the United Kingdom before the 1997 handover. The 1984 Sino-British Joint Declaration expressly guarantees the continued application of the ICCPR and ICESCR as applied to Hong Kong. Article 39 of the Basic Law of Hong Kong states that the ICCPR, the ICESCR, and international labour conventions “*shall remain in force and shall be implemented through the laws of the Hong Kong Special Administrative Region.*”⁷ This means that the Hong Kong government is legally required to recognise and comply with these obligations. This remains the case even though the PRC has not ratified the ICCPR.

CHARTER BODIES

On the other hand, charter-based bodies are derived from the UN Charter instead of international human rights treaties. They consist of the Human Rights Council, universal periodic review, special procedures and the Office of the High Commissioner of Human Rights.

HUMAN RIGHTS COUNCIL (HRC)

The HRC, formerly known as the Human Rights Commission, is a core component of the UN charter-based human rights mechanism, and it was established in 2006. It is composed of 47 Member States, elected yearly by the UNGA for staggered three-year terms. Seats are allocated geographically to ensure sufficient representatives from each region: 13 are African states, 13 are Asia-Pacific states, 6 are Eastern European States, 8 are Latin American and Caribbean states, and 7 are Western European and other states.

5 “Basic Law — the Source of Hong Kong’s Progress and Development,” n.d. <https://www.basiclaw.gov.hk/filemanager/content/en/files/anniversary-reunification15/anniversary-reunification15-ch2-6.pdf>

6 Note: Although state parties of these treaties are obliged to submit reports periodically to treaty bodies, Hong Kong is submitting these reports as part of the PRC, except for the ICCPR which the PRC has not yet ratified, but which Hong Kong is part of and submits an independent report to.

7 Government of the Hong Kong Special Administrative Region, *Basic Law of the Hong Kong Special Administrative Region of the People’s Republic of China*, Chapter III, Article 39, <https://www.basiclaw.gov.hk/en/basiclaw/chapter3.html>.

UNIVERSAL PERIODIC REVIEW (UPR)⁸

Additionally, to review the international human rights compliance of all 193 UN member states, the UPR takes place. It is a state-driven peer review mechanism where the human rights conditions of each UN member state are assessed by the other member states, who give recommendations. It focuses on a broad range of human rights, with reference to international human rights law.

SPECIAL PROCEDURES (SPS)⁹

In specific human rights situations, the HRC can establish special procedure mandates and appoint independent human rights experts with the mandate to report and advise on human rights from a thematic or country-specific perspective. Mandate-holders may be Special Rapporteurs, Independent Experts or members of Working Groups. As at 31 December 2025, the special procedures system comprised 59 mandates: 46 thematic mandates and 13 country-specific mandates, covering a wide range of human rights-related issues across themes and regions.¹⁰ Mandate-holders are generally appointed for three years, renewable once, with a maximum tenure of six years.

OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS (OHCHR)

The OHCHR is a principal human rights office within the UN system. It serves like a secretariat that provides substantive administrative and technical support for the UN human rights mechanisms.

As a Special Administrative Region of the PRC, Hong Kong's human rights situation is addressed by the above charter-based bodies during their scrutiny of China the PRC, as well as through relevant thematic mandates.

⁸ "Universal Periodic Review," n.d. <https://unsdg.un.org/2030-agenda/strengthening-international-human-rights/universal-periodic-review>

⁹ Office of the United Nations High Commissioner for Human Rights, "Special Procedures of the Human Rights Council," <https://www.ohchr.org/en/special-procedures-human-rights-council/special-procedures-human-rights-council>.

¹⁰ Human Rights Council, *Activities of special rapporteurs, independent experts and working groups of the special procedures of the Human Rights Council undertaken in 2025, including updated information on special procedures: Report of the Secretariat*, A/HRC/61/66, advance edited version, 30 March 2026, <https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session61/advance-version/a-hrc-61-66-aev.pdf>, ¶ 2.

3

UN TREATY BODIES' RESPONSES TO THE NATIONAL SECURITY LAW (NSL)

Since the imposition of the NSL in 2020, multiple UN treaty bodies have reviewed Hong Kong and made criticisms and recommendations.

HUMAN RIGHTS COMMITTEE

In July 2022, the UN Human Rights Committee published its Concluding Observations on the fourth periodic report of Hong Kong, which reviews Hong Kong's compliance with the ICCPR (but not the PRC's).¹¹

It recommended that Hong Kong take concrete steps to repeal the NSL and, in the meantime, refrain from applying it. Hong Kong should ensure that the legislative process for enacting a new NSL is inclusive and transparent and facilitate the free, open and meaningful participation of civil society and the public, and that the concerns relating to the current NSL expressed by international human rights mechanisms are addressed.¹²

¹¹ Human Rights Committee, "Concluding observations on the fourth periodic report of Hong Kong, China," CCPR/C/CHN-HKG/CO/4, 11 November 2022, <https://docs.un.org/en/CCPR/C/CHN-HKG/CO/4>.

¹² Ibid ¶14(a)–(b)

In addition, it recommended that Hong Kong take effective measures to improve access to justice, independence of the judiciary and the right to a fair trial. This includes establishing an independent legal aid authority, which would guarantee the rights to timely and competent legal aid and to counsel of choice, including to persons charged under the NSL.¹³

They also made other recommendations related to civil and political rights in Hong Kong, such as asking the government to protect lawyers, particularly those who represent opposition figures or protesters and request judicial reviews, from harassment, intimidation and attacks;¹⁴ stop censoring books and other material in the public libraries, including school libraries, and reinstate the books and other material that have been removed for allegedly breaching the NSL or for being contrary to the interests of national security;¹⁵ and recommendations related to the sedition provisions under the Crimes Ordinance, the Societies Ordinance, the excessive use of police force (especially against protestors in 2019).¹⁶

The concluding observation asked Hong Kong to submit relevant follow-up information by 2025, which is within 3 years of the review.¹⁷ In response, the Hong Kong government submitted the follow-up report in December 2025. Not surprisingly, the Hong Kong government disapproved the Committee's opinion on the NSL, expressing "its objection and deep disappointment regarding the misunderstandings of the human rights situation in the HKSAR, and the unsubstantiated criticisms made by the Committee and its Concluding Observations" in the report.¹⁸

COMMITTEE ON THE RIGHTS OF PERSONS WITH DISABILITIES (CRPD)

In October 2022, the Committee on the Rights of Persons with Disabilities (CRPD) published Concluding Observations on the combined second and third periodic reports of China, which included Hong Kong.¹⁹

In addition to recommendations specifically related to persons with disabilities, the Committee urged Hong Kong to urgently repeal and independently review the NSL

¹³ Ibid ¶133–34.

¹⁴ Ibid ¶138.

¹⁵ Ibid ¶144(a)–(c).

¹⁶ Ibid ¶15–16, 45–50.

¹⁷ Human Rights Committee, "Concluding observations on the fourth periodic report of Hong Kong, China," CCPR/C/CHN-HKG/CO/4, 11 November 2022, <https://docs.un.org/en/CCPR/C/CHN-HKG/CO/4>, ¶ 54.

¹⁸ Government of the Hong Kong Special Administrative Region, "Follow-up information relating to the concluding observations on the fourth periodic report of Hong Kong, China," CCPR/C/CHN-HKG/FCO/4, December 2025, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR%2FC%2FCHN-HKG%2FFCO%2F4&Lang=en.

¹⁹ Committee on the Rights of Persons with Disabilities, "Concluding observations on the combined second and third periodic reports of China," CRPD/C/CHN/CO/2-3, 10 October 2022, <https://docs.un.org/en/CRPD/C/CHN/CO/2-3>.

to ensure that it is compliant with international human rights law.²⁰ They also recommended prompt action to release human rights defenders with disabilities who were arbitrarily deprived of their liberty under charges of terrorism and subversion under the NSL, and to adopt measures to ensure that human rights organisations, (including organisations of persons with disabilities) operate in safe environments.²¹

COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN (CEDAW)

In May 2023, the Committee on the Elimination of Discrimination against Women published its Concluding Observations on the ninth periodic report of China, which included Hong Kong.²² It made multiple recommendations related to women's rights in Hong Kong such as further supporting independent women's rights organisations, developing an action plan on women's rights and gender equality, and addressing human trafficking.²³

Additionally, the Committee urged Hong Kong to take into consideration the paramount importance of the right of peaceful assembly and to refrain from over-prioritizing public order and security concerns when considering restrictions on democratic manifestations such as the annual Labour and Women's Rights and Gender Equality March.²⁴

In the Concluding Observations, CEDAW requests the PRC to provide, within two years, written information on the steps taken to implement 4 recommendations, one of them is for Hong Kong. Nevertheless, the PRC failed to provide the follow-up information by the deadline. In Feb 2026, CEDAW sent a first reminder to the PRC.²⁵

COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS (CESCR)

In March 2023, the Committee on Economic, Social and Cultural Rights (CESCR) published Concluding Observations on the third periodic report of China, which included Hong Kong.²⁶

It recommended that Hong Kong cooperate with China to review the NSL to ensure

20 Ibid ¶74 (a)

21 Ibid ¶74(b)–(c).

22 Committee on the Elimination of Discrimination against Women, "Concluding observations on the ninth periodic report of China," CEDAW/C/CHN/CO/9, 31 May 2023, <https://docs.un.org/en/CEDAW/C/CHN/CO/9>.

23 Ibid ¶63-72

24 Ibid ¶73

25 Committee on the Elimination of Discrimination against Women, follow-up letter to China, INT/CEDAW/FUL/CHN/68952, 24 February 2026, https://tbinternet.ohchr.org/_layouts/15/treaty-bodyexternal/Download.aspx?symbolno=INT%2FCEDAW%2FFUL%2FCHN%2F68952&Lang=en.

26 Committee on Economic, Social and Cultural Rights, "Concluding observations on the third periodic report of China, including Hong Kong, China, and Macao, China," E/C.12/CHN/CO/3, 22 March 2023, <https://docs.un.org/en/E/C.12/CHN/CO/3>.

the full independence of the judiciary and to ensure that national security legislation is not arbitrarily used to interfere with it.²⁷ It said the NSL should be reviewed to ensure full artistic freedom and enjoyment of the rights to history, culture and science.²⁸

The Committee also recommended that Hong Kong abolish the national security hotline and immediately provide all due process guarantees to human rights defenders, civil society actors, journalists, lawyers working on human rights and others working to defend economic, social and cultural rights, including access to independent and effective legal representation at every stage of the proceedings.²⁹ Additionally, Hong Kong should establish an independent national human rights institution with a broad mandate, and to allocate sufficient human, technical and financial resources for it to fully exercise its mandate in relation to economic, social and cultural rights.³⁰ The Committee also recommended that Hong Kong review laws to enable the exercise of the right to freely form trade unions,³¹ among other recommendations.

In the Concluding Observations, CESCR requested the PRC to provide, within 24 months, the implementation of several recommendations, including one for Hong Kong. Again, the PRC failed to provide the follow-up information by the deadline.

COMMITTEE AGAINST TORTURE (CAT)

In February 2016, the Committee against Torture published Concluding Observations on the fifth periodic report of China, which included Hong Kong.³² Hong Kong's compliance with the CAT has not been reviewed since the NSL was implemented. As one human rights advocacy group commended, China's ongoing delay in submitting its state report to the UN Committee against Torture means that Hong Kong's violations cannot be reviewed and has allowed Hong Kong to continue oppressive tactics without fear of accountability since 2019.³³ Finally, China, Hong Kong and Macau submitted the reports in February 2025. Subsequent periodic review procedure is expected to follow soon.

27 Ibid ¶101

28 Ibid ¶126, 127 and 129

29 Ibid ¶103

30 Ibid ¶99

31 Ibid ¶114-115

32 Committee against Torture, "Concluding observations on the fifth periodic report of China with respect to Hong Kong, China," CAT/C/CHN-HKG/CO/5, 3 February 2016, https://digitallibrary.un.org/record/857892/files/CAT_C_CHN-HKG_CO_5-EN.pdf.

33 Hong Kong Centre for Human Rights, *Urgent Calls for International Oversight on Torture and Ill-Treatment in Hong Kong*, 7 November 2024, <https://hkchr.org/wp-content/uploads/2024/11/HK-CHR-TortureReportNov2024.pdf>.

4

UN SPECIAL PROCEDURES' RESPONSES TO THE NSL

The UN Special Procedures have issued numerous letters ('communications'), opinions, and press releases since the NSL was implemented in 2020. These contain concerns, condemnations, and recommendations for the Hong Kong Government.

PRESS RELEASES FROM SPECIAL PROCEDURES, INCLUDING RECOMMENDATIONS TO THE HONG KONG AND PRC GOVERNMENTS

Date	Theme ³⁴	Notes
23 December 2025	political prisoners, political trials	Five UN experts expressed deep disappointment at the conviction of pro-democracy media entrepreneur, Jimmy Lai, despite prolonged engagement with authorities on the case, and called for his immediate release from prison on humanitarian grounds. ³⁵

34 Themes in this table are identified by the authors.

35 Office of the United Nations High Commissioner for Human Rights, "Hong Kong SAR: UN experts dismayed by Jimmy Lai conviction," press release, 23 December 2025, <https://www.ohchr.org/en/press-releases/2025/12/hong-kong-sar-un-experts-dismayed-jimmy-lai-conviction>.

3 October 2025	transnational repression	Two UN experts expressed alarm that lawyer Kevin Yam (Yam Kin Fung) was disbarred and financially penalised on 16 July 2025 in direct connection with public statements he made about the independence of judges and prosecutors in Hong Kong during an intervention at a US Congressional hearing in May 2023. ³⁶
24 January 2025	education	One UN expert raised alarm about academic freedom being restricted by national security laws. ³⁷
31 January 2024	political prisoners, political trials	One UN expert has written to authorities in China, to address claims that the evidence of a listed key prosecution witness in the trial of newspaper owner and editor Jimmy Lai had been obtained through torture. ³⁸
22 January 2024	political prisoners, political trials	Five UN experts called on Hong Kong authorities to drop all charges against pro-democracy media entrepreneur Jimmy Lai and release him immediately, as his trial began in December 2023 after lengthy delays. ³⁹
09 October 2023	political prisoners, political trials, transnational repression	Four UN experts expressed serious concern about the first mass trial of 47 people underway since February 2023 under the NSL and the issuance of arrest warrants and bounties against pro-democracy figures currently in exile overseas. ⁴⁰

36 Office of the United Nations High Commissioner for Human Rights, "UN experts condemn reprisals against Hong Kong lawyer Kevin Yam," press release, 3 October 2025, <https://www.ohchr.org/en/press-releases/2025/10/un-experts-condemn-reprisals-against-hong-kong-lawyer-kevin-yam>.

37 Office of the United Nations High Commissioner for Human Rights, "Special Rapporteur calls for prioritising safety as fundamental element for ensuring right to education," press release, 24 January 2025, <https://www.ohchr.org/en/press-releases/2025/01/special-rapporteur-calls-prioritising-safety-fundamental-element-ensuring>.

38 Office of the United Nations High Commissioner for Human Rights, "Hong Kong SAR: UN expert warns against admission of evidence, allegedly secured through torture, in Jimmy Lai case," press release, 31 January 2024, <https://www.ohchr.org/en/press-releases/2024/01/hong-kong-sar-un-expert-warns-against-admission-evidence-allegedly-secured>.

39 Office of the United Nations High Commissioner for Human Rights, "Hong Kong SAR: UN experts urge authorities to drop all charges against Jimmy Lai, call for his release," press release, 22 January 2024, <https://www.ohchr.org/en/press-releases/2024/01/hong-kong-sar-un-experts-urge-authorities-drop-all-charges-against-jimmy-lai>.

40 Office of the United Nations High Commissioner for Human Rights, "China/Hong Kong SAR: UN experts concerned about ongoing trials and arrest warrants under National Security Legislation," press release, 9 October 2023, <https://www.ohchr.org/en/press-releases/2023/10/chinahong-kong-sar-un-experts-concerned-about-ongoing-trials-and-arrest>.

10 June 2022	political trials and rule of law	42 UN human rights experts called for China to address grave human rights concerns and enable credible international investigation, with specific reference to the anti-terrorism law and the sedition law in Hong Kong.
12 October 2021	political prisoners, political trials	Four UN human rights experts expressed deep concern about the arrest of pro-democracy activist and woman human rights defender Chow Hang-Tung on charges of “incitement to subversion” and being a foreign agent, and urged authorities to refrain from the use of the NSL and reconsider its application. ⁴¹

LETTERS FROM UN SPECIAL PROCEDURES

Date	Theme ⁴²	Notes
7 January 2026	political prisoners, political trials	Special Rapporteur on the situation of human rights defenders; the Working Group on Arbitrary Detention; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the rights to freedom of peaceful assembly and of association and the Special Rapporteur on the independence of judges and lawyers Five experts wrote a letter about the arrest and detention pending trial of human rights defenders and pro-democracy activists. ⁴³
8 September 2025	transnational repression	Two experts wrote a letter about lawyer Kevin Yam (Yam Kin Fung) being disbarred and financially penalized after he made public statements about the independence of the judges and prosecutors in Hong Kong. ⁴⁴

41 Office of the United Nations High Commissioner for Human Rights, “Hong Kong: Arrests under security law are serious concern, UN experts call for review,” press release, 12 October 2021, <https://www.ohchr.org/en/press-releases/2021/11/hong-kong-arrests-under-security-law-are-serious-concern-un-experts-call>.

42 Themes in this table are identified by the authors.

43 Special Procedures of the Human Rights Council, AL CHN 23/2025, 7 January 2026, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=30657>.

44 Special Procedures of the Human Rights Council, AL CHN 20/2025, 8 September 2025, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=30342>.

24 July 2025	transnational repression	Nine experts wrote a letter on a reported surge in human rights violations of a transnational nature against activists, human rights defenders and ethnic and religious minorities from China who have fled to other countries: transnational repression of activists and human rights defenders and their families from Hong Kong (Anna Kwok, Carmen Lau, Chloe Cheung, Frances Hui, Ted Hui). ⁴⁵
22 March 2024	rule of law	Six experts wrote a letter raising concerns about the Safeguarding National Security Ordinance. ⁴⁶
25 January 2024	political prisoners, political trials	One expert wrote a letter on possible admission of evidence allegedly obtained under torture or ill-treatment in the ongoing trial of Jimmy Lai. ⁴⁷
31 August 2023	rule of law, political trials, transnational repression	Four experts wrote a letter expressing concern about the start of the first trial of 47 individuals accused of crimes under the NSL, as well as the issuance of arrest warrants by the Hong Kong's National Security Police for seven individuals, all self-exiled, for crimes under the NSL. ⁴⁸
25 July 2023	rule of law	Five experts wrote a letter on the Public Consultation Document and Specific Proposals on the Regulation of Crowdfunding Activities issued in December 2022 by the Financial Services and the Treasury Bureau of the HKSAR. ⁴⁹
19 April 2023	rule of law	One expert wrote a letter on the provisions of the NSL, amendments to the Legal Aid Scheme, and proposed amendments to the Legal Practitioners Bill in Hong Kong. ⁵⁰

45 Special Procedures of the Human Rights Council, AL CHN 9/2025, 24 July 2025, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=30102>.

46 Special Procedures of the Human Rights Council, OL CHN 5/2024, 22 March 2024, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=28893>.

47 Special Procedures of the Human Rights Council, AL CHN 2/2024, 25 January 2024, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=28734>.

48 Special Procedures of the Human Rights Council, AL CHN 16/2023, 31 August 2023, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=28323>.

49 Special Procedures of the Human Rights Council, OL CHN 12/2023, 25 July 2023, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=28178>.

50 Special Procedures of the Human Rights Council, OL CHN 2/2023, 19 April 2023, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=27992>.

17 March 2023	political prisoners, political trials	Five experts wrote a letter on human rights violations against Jimmy Lai. ⁵¹
14 February 2022	rule of law	One expert wrote a letter on the applicability of the ICCPR to the law enforcement and judicial activity carried out under the NSL. ⁵²
24 September 2021	political prisoners, political trials	Five experts wrote a letter on woman human rights defender and pro-democracy activist Ms. Chow Hang-Tung. ⁵³
13 August 2021	rule of law	Three experts wrote a letter on the erosion of the right to freedom of speech, education and academic freedom since the NSL. ⁵⁴
1 September 2020	rule of law	Seven experts wrote a letter on the NSL. ⁵⁵
19 June 2020	rule of law	Seven experts wrote a letter on the draft NSL. ⁵⁶

OPINIONS OF WORKING GROUP ON ARBITRARY DETENTION (WGAD)

On 24 September 2024, the Working Group on Arbitrary Detention determined the detention of Mr Jimmy Lai Chee-ying to be arbitrary under categories I, II, III and V. The WGAD urged China (including Hong Kong) to:

- Take the steps necessary to remedy the situation of Jimmy Lai Chee-ying without delay and bring it into conformity with the relevant international norms, including those set out in the Universal Declaration of Human Rights (UDHR) and the ICCPR.
- Release Mr. Lai immediately and accord him an enforceable right to compensation and other reparations, in accordance with international law.
- Ensure a full and independent investigation into the circumstances surrounding the arbitrary deprivation of liberty of Mr. Lai and to take appropriate measures

51 Special Procedures of the Human Rights Council, AL CHN 1/2023, 17 March 2023, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=27848>.

52 Special Procedures of the Human Rights Council, OL CHN 3/2022, 14 February 2022, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=27082>.

53 Special Procedures of the Human Rights Council, UA CHN 10/2021, 24 September 2021, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=26658>.

54 Special Procedures of the Human Rights Council, AL CHN 9/2021, 13 August 2021, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=26592>.

55 Special Procedures of the Human Rights Council, OL CHN 17/2020, 1 September 2020, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=25487>.

56 Special Procedures of the Human Rights Council, OL CHN 13/2020, 19 June 2020, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=25354>.

against those responsible for the violation of his rights.⁵⁷

On 1 May 2023, the Working Group on Arbitrary Detention (WGAD) determined the detention of Ms. Hang Tung Chow to be arbitrary under categories I, II, III and V. The WGAD urged China (including Hong Kong) to:

- Take the steps necessary to remedy the situation of Hang Tung Chow without delay and bring it into conformity with the relevant international norms, including those set out in the UDHR and the ICCPR.
- Revise the provisions of the National Security Law to ensure they comply with its obligations under article 9 and 14 of the Covenant.
- Ensure a full and independent investigation of the circumstances surrounding the arbitrary deprivation of liberty of Hang Tung Chow and to take appropriate measures against those responsible for the violation of her rights.⁵⁸

57 Human Rights Council Working Group on Arbitrary Detention, "Opinions adopted by the Working Group on Arbitrary Detention at its 100th session, 26–30 August 2024: Opinion No. 34/2024 concerning Mr. Jimmy Lai Chee-ying (Hong Kong, China)," A/HRC/WGAD/2024/34, 26 September 2024, https://digitallibrary.un.org/record/4069184/files/A_HRC_WGAD_2024_34-EN.pdf, ¶¶ 119–125.

58 Human Rights Council Working Group on Arbitrary Detention, "Opinions adopted by the Working Group on Arbitrary Detention at its ninety-sixth session, 27 March–5 April 2023: Opinion No. 30/2023 concerning Ms. Hang Tung Chow (Hong Kong, China)," A/HRC/WGAD/2023/30, 1 May 2023, <https://www.ohchr.org/sites/default/files/documents/issues/detention-wg/opinions/session96/A-HRC-WGAD-2023-30-AEV.pdf>, ¶¶ 95–101.

5

UN OHCHR'S RESPONSES TO THE NSL

This part examines the responses of the Office of the High Commissioner for Human Rights (OHCHR) to the NSL since its imposition in 2020 as well as responses from other actors, including the Hong Kong and PRC governments and human rights activists.

Four events are given special focus: the imposition of NSL in July 2020; the mass arrest of political leaders and activists in January 2021; the visit of Michelle Bachelet to the PRC in May 2022; the office of Volker Türk since 2022, and the reprisals mechanism.

IMPOSITION OF THE NSL

The OHCHR's first statement on the NSL was made on 19 June 2020, when the PRC's National People's Congress was preparing for the imposition of the law, which was not available for review at the time. Although details of the law remained unknown, the press statement stressed that the law must "Fully comply with China's human rights obligations," respect the provisions of the ICCPR and ICESCR which are applied to Hong Kong, and "Be clear in scope and definition, and only permit restrictions to human rights that are strictly necessary and proportion-

ate.”⁵⁹

On 3 July 2020, shortly after the imposition of NSL, the OHCHR released a press briefing note⁶⁰ commenting on the law:

- While provisions of the ICCPR and ICESCR are explicitly affirmed by the NSL, the law should guarantee these rights, “in particular the fundamental freedoms, the presumption of innocence and due process rights, and fair trial rights”.
- “The definition of some of the offences contained in the law are vague and overly broad.”
- The offence of “collusion with a foreign country or with external elements to endanger national security” may “lead to a restriction of civic space and of the possibility for civil society actors to exercise their right to participate in public affairs.”
- The law should not punish behaviours done before its imposition, so that to comply with the legality principle that is enshrined in the ICCPR.

On 14 September 2020, two and half months after the imposition of the NSL, during High Commissioner Bachelet’s statement⁶¹ at the 45th session of the HRC, she encouraged “the Hong Kong authorities to monitor closely the enforcement of the law” and to “take steps to review the law in response to any negative consequences it might have on the enjoyment of human rights”.

However, Bachelet was more critical after many were arrested under the NSL. During the annual year-end press conference⁶² on 10 December 2020, she described the NSL as having a “chilling effect” on basic freedoms, leading to the “rapidly shrinking civic and democratic space” in Hong Kong. The PRC responded by reiterating the necessity of the law and prosecution to “restore stability” for Hong Kong after the “violent protests” in 2019.⁶³

59 Office of the United Nations High Commissioner for Human Rights, “China/Hong Kong SAR: Security law must meet human rights obligations, says Bachelet,” press release, 19 June 2020, <https://www.ohchr.org/en/press-releases/2020/06/chinahong-kong-sar-security-law-must-meet-human-rights-obligations-says>.

60 Office of the United Nations High Commissioner for Human Rights, “Press briefing note on China / Hong Kong SAR,” press briefing note, 3 July 2020, <https://www.ohchr.org/en/press-briefing-notes/2020/07/press-briefing-note-china-hong-kong-sar>.

61 Office of the United Nations High Commissioner for Human Rights, “In her global human rights update, Bachelet calls for urgent action to heighten resilience and protect people’s rights,” statement, 14 September 2020, <https://www.ohchr.org/en/statements-and-speeches/2020/09/her-global-human-rights-update-bachelet-calls-urgent-action>.

62 Human Rights in China, “Transcripts of Remarks on Xinjiang and Hong Kong by Michelle Bachelet, UN High Commissioner for Human Rights,” 11 December 2020, <https://www.hrichina.org/en/press-work/hric-bulletin/transcripts-remarks-xinjiang-and-hong-kong-michelle-bachelet-un-high>.

63 AFP, “UN rights chief decries Hong Kong’s ‘shrinking civic space’ under security law,” *Hong Kong Free Press*, 10 December 2020, <https://hongkongfp.com/2020/12/10/un-rights-chief-decries-hong-kongs-shrinking-civic-space-under-security-law/>.

MASS ARRESTS

On 7 January 2021, after the mass arrest of Hong Kong pro-democracy leaders and activists, the OHCHR issued a press release calling for their immediate release, and urged Hong Kong to refrain from using the NSL to suppress the rights to freedom of expression, peaceful assembly and association.⁶⁴

The press statement stressed that the NSL is “being used to detain individuals for exercising legitimate rights to participate in political and public life”, that people’s “rights to freedom of expression, peaceful assembly and association” are protected by ICCPR, and repeated the concern that the offences under NSL are “vague and overly broad”.

On 21 June 2021, Bachelet repeated⁶⁵ that the NSL is having a “chilling impact” on Hong Kong’s “civil and democratic space, as well as independent media”. Then, on 24 June 2021, Bachelet once again raised concern over the NSL during an event in Hong Kong⁶⁶ where she said that the “vaguely formulated offences” of the NSL were leading to media self-censorship.

Amidst growing criticism towards the NSL, Hong Kong insisted⁶⁷ that human rights conditions had improved due to the imposition of the NSL, as it successfully “subsidised civil unrest” and “residents can enjoy their lawful freedoms”.

BACHELET’S VISIT TO THE PRC

After years of negotiation, in May 2022, Bachelet made a visit to the PRC, 17 years since last High Commissioner visited the country. After concluding the visit, Bachelet made a statement mentioning the cases of Uyghurs and Tibetans, and wrote a paragraph about Hong Kong, even though she had not visited the territory during the trip.⁶⁸

64 Office of the United Nations High Commissioner for Human Rights, “Comment by UN Human Rights Office Spokesperson Liz Throssell on the Hong Kong Special Administrative Region, China,” press release, 7 January 2021, <https://www.ohchr.org/en/press-releases/2021/01/comment-un-human-rights-office-spokesperson-liz-throssell-hong-kong-special>.

65 Office of the United Nations High Commissioner for Human Rights, “47th session of the Human Rights Council, Item 2: Human rights update by the High Commissioner,” statement, 21 June 2021, <https://www.ohchr.org/en/statements-and-speeches/2021/06/47th-session-human-rights-councilitem-2-human-rights-update-high>.

66 Reuters, “U.N. rights chief says HK security law prompts media self-censorship,” 24 June 2021, <https://www.reuters.com/world/asia-pacific/un-rights-chief-says-hk-security-law-prompts-media-self-censorship-2021-06-24/>.

67 Al Jazeera, “UN rights chief decries abuses in Xinjiang, arrests in Hong Kong,” 27 February 2021, <https://www.aljazeera.com/news/2021/2/27/un-rights-chief-decries-abuses-in-xinjiang-arrests-in-china>.

68 Office of the United Nations High Commissioner for Human Rights, “Statement by UN High Commissioner for Human Rights Michelle Bachelet after official visit to China,” statement, 28 May 2022, <https://www.ohchr.org/en/statements-and-speeches/2022/05/statement-un-high-commissioner-human-rights-michelle-bachelet-after>.

Bachelet also praised the PRC's "tremendous achievements" in alleviating poverty, eradicating extreme poverty, ensuring protection of the right to health and broader social and economic rights. At the end of her statement, she further highlighted the "very important role" played by the PRC in global affairs and stressed the need for more engagement and cooperation between the OHCHR and the PRC.

Bachelet's statement was widely criticised by global human rights activists, who argued that she had not only "failed" to "bring global attention to the PRC government's egregious human rights violations" including "the attack on fundamental freedoms in Hong Kong"⁶⁹, she even "whitewashed the atrocities"⁷⁰ and "damaged the High Commissioner's own integrity and that of the United Nations".⁷¹ Shortly after Bachelet's end-of-visit statement, on 8 June 2022, hundreds of human rights organizations representing Uyghur, Tibetan, Hong Kong, and other PRC campaigns issued a statement⁷² demanding her resignation due to the "failed visit".

VOLKER TÜRK'S OFFICE

After the new High Commissioner Volker Türk assumed office, the OHCHR issued a press release⁷³ on 11 October 2022 in response to the sentencing of five people under the NSL, which repeated concerns over "the negative impact" of the NSL on "fundamental rights and freedoms" in Hong Kong, and also urged Hong Kong to meet its obligations under the ICCPR and the CRC.

Hong Kong was mentioned by Türk in 2023 twice in the HRC session in March and June respectively, when he expressed concern regarding "the impact of the National Security Law" in Hong Kong.⁷⁴ After that, Hong Kong was mentioned one year later, during the HRC session on 4 March 2024⁷⁵, where Türk stated that he was

69 Human Rights Watch, "Bachelet should fix disastrous China visit by standing with victims," 12 July 2022, <https://www.hrw.org/news/2022/07/12/bachelet-should-fix-disastrous-china-visit-standing-victims>.

70 Benedict Rogers, "Michelle Bachelet's failed Xinjiang trip has tainted her whole legacy," Foreign Policy, 13 June 2022, <https://foreignpolicy.com/2022/06/13/michelle-bachelets-failed-xinjiang-trip-has-tainted-her-whole-legacy/>.

71 *East Asia Forum*, "The UN High Commissioner's contentious visit to China," 8 July 2022, <https://eastasiaforum.org/2022/07/08/the-un-high-commissioners-contentious-visit-to-china/>.

72 International Tibet Network, "230 rights groups demand resignation of UN High Commissioner for Human Rights," press release, 8 June 2022, <https://tibetnetwork.org/230-rights-groups-demand-resignation-of-un-high-commissioner-for-human-rights-2/>.

73 Office of the United Nations High Commissioner for Human Rights, "Alarm by sentencing under national security law," press briefing note, 11 October 2022, <https://www.ohchr.org/en/press-briefing-notes/2022/10/alarm-sentencing-under-national-security-law>.

74 Volker Türk, United Nations High Commissioner for Human Rights, "53rd session of the Human Rights Council, Item 2: Global update by the High Commissioner," statement, 19 June 2023, https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/68/OTH/OTH_3309_87_b6bd35ccd564_4502_a752_f3e4eea9fc3b.docx.

75 Office of the United Nations High Commissioner for Human Rights, "Türk's global update to the Human Rights Council," statement, 4 March 2024, <https://www.ohchr.org/en/statements-and-speeches/2024/03/turks-global-update-human-rights-council>.

“engaging with the Hong Kong authorities on continuing concerns about national security laws”.

Shortly afterwards, the OHCHR's concern over Hong Kong were revived due to the introduction of new legislation⁷⁶ under Article 23 of the Basic Law. This is a homegrown security law which complements the NSL that was imposed by Beijing in 2020. On 19 March 2024, the day when the new law was officially passed, the OHCHR issued a press release⁷⁷ stating that:

- It “deplored the accelerated consideration and adoption” of the bill “without a thorough process of deliberation and meaningful consultation”.
- The provisions are “broadly defined and vague”.
- Many of its provisions are incompatible with international human rights law, including the protection of “freedom of expression, freedom of peaceful assembly, and the right to receive and impart information”.
- The legislation “is a regressive step for the protection of human rights in Hong Kong”.

Türk's criticism of the NSL escalated two months later, following the conviction of 14 Hong Kong pro-democracy leaders and activists⁷⁸, who were arrested in January 2021. On 31 May 2024, the OHCHR issued a press release⁷⁹ in response to their conviction, stressing that:

- The NSL “does not comply with China's obligations under international human rights law”, and Hong Kong's obligations under ICCPR.
- The laws “should be repealed”.
- “All those arbitrarily arrested and detained under these laws” should be released “immediately and unconditionally”.

In June 2024, at the HRC's 56th Session, Türk said that his office recently visited Beijing to discuss, among other things, problematic provisions in China's counter-terrorism and criminal laws, as well as the application of national security laws in Hong Kong SAR.⁸⁰

76 Kelly Ng, “Article 23: What is Hong Kong's tough new security law?,” *BBC News*, 25 March 2024, <https://www.bbc.co.uk/news/world-asia-china-68508694>.

77 Office of the United Nations High Commissioner for Human Rights, “Rushed adoption of national security bill a regressive step for human rights in Hong Kong – UN Human Rights Chief,” press release, 19 March 2024, <https://www.ohchr.org/en/press-releases/2024/03/rushed-adoption-national-security-bill-regressive-step-human-rights-hong>.

78 Helen Davidson, “‘Hong Kong 47’ trial: 14 activists found guilty of conspiracy to commit subversion,” *The Guardian*, 30 May 2024, <https://www.theguardian.com/world/article/2024/may/30/hong-kong-47-trial-verdict-pro-democracy-campaigners-national-security>.

79 Office of the United Nations High Commissioner for Human Rights, “Hong Kong SAR: Türk deplores use of national security laws,” press release, 31 May 2024, <https://www.ohchr.org/en/press-releases/2024/05/hong-kong-sar-turk-deplores-use-national-security-laws>.

80 Office of the United Nations High Commissioner for Human Rights, “‘We must urgently find our way back to peace’, says High Commissioner Volker Türk as he presents his global update to the 56th session of the Human Rights Council,” statement, 18 June 2024, <https://www.ohchr.org/en/statements-and-speeches/2024/06/we-must-urgently-find-our-way-back-peace-says-high-commissioner>.

On 27 August 2024, the OHCHR also updated its work to include “national security and human rights concerns in the Hong Kong Special Administrative Region”, reflecting that Hong Kong is a priority for Türk.⁸¹

At the HRC’s 58th and 59th Sessions in February-April and June-July 2025 respectively, Türk commented on the NSL’s impact on stifling and shriking civic space in Hong Kong.⁸² This was mentioned again at the HRC’s 60th Session in September-October 2025, where Hong Kong’s NSL was highlighted as used against civil society and human rights defenders, reducing the open and free public space.

Then, in November 2025, following the devastating Tai Po fire in Hong Kong, Türk expressed solidarity with victims and supported civic space. He called for Hong Kong to drop cases against those seeking accountability for the fire, and repeal, or at a minimum significantly amend, provisions in the security laws so that they fully comply with the requirements of the ICCPR.⁸³

Finally, in February 2026, the OHCHR published a statement where Türk urged for the release of Jimmy Lai following the imposition of his 20-year sentence under the NSL.⁸⁴ It stated that:

- The UN Human Rights Office has reviewed the verdict against Lai and is concerned that it criminalises the exercise of protected freedom of expression, including media freedoms, and association, and that the verdict draws extensively on conduct that predates the NSL.
- The High Commissioner appealed for Jimmy Lai’s immediate release on humanitarian grounds, given his advanced age, health, and the impact of the more than four years he has already spent in detention.

OHCHR REPRISAL MECHANISM

The HRC also invites the Secretary-General to submit annual reports with “a com-

81 Office of the United Nations High Commissioner for Human Rights, “China: Update on the work of UN Human Rights Office,” press briefing note, 27 August 2024, <https://www.ohchr.org/en/press-briefing-notes/2024/08/china-update-work-un-human-rights-office>.

82 UN Geneva Multimedia Newsroom, “HRC58 - Global Update - 03 March 2025,” statement by Volker Türk, United Nations High Commissioner for Human Rights, 3 March 2025, <https://www.unognewsroom.org/story/en/2540/hrc58-global-update-03-march-2025>; Office of the United Nations High Commissioner for Human Rights, “HC Türk updates Human Rights Council: ‘We need the strongest possible defence of international law and human rights,’” statement, 16 June 2025, <https://www.ohchr.org/en/statements-and-speeches/2025/06/hc-turk-updates-human-rights-council-we-need-strongest-possible>.

83 Office of the United Nations High Commissioner for Human Rights, “Türk expresses solidarity with victims and calls for civic space in aftermath of Hong Kong fire,” press release, 9 December 2025, <https://www.ohchr.org/en/press-releases/2025/12/turk-expresses-solidarity-victims-and-calls-civic-space-aftermath-hong-kong>.

84 Office of the United Nations High Commissioner for Human Rights, “Hong Kong SAR: Türk urges release of Jimmy Lai following imposition of 20-year sentence,” press release, 9 February 2026, <https://www.ohchr.org/en/press-releases/2026/02/hong-kong-sar-turk-urges-release-jimmy-lai-following-imposition-20-year>.

pilation and analysis of any available information, from all appropriate sources, on alleged reprisals for cooperation with the UN in the field of human rights, as well as recommendations.”⁸⁵

This mechanism documented NSL and reprisal cases against Chow Hang Tung, Jimmy Lai's legal team, and Figo Chan.⁸⁶ All of these people faced reprisals for cooperating with the UN in the field of human rights after the NSL was implemented.

⁸⁵ Office of the United Nations High Commissioner for Human Rights, “Annual reports on reprisals for cooperation with the UN,” <https://www.ohchr.org/en/reprisals/annual-reports-reprisals-cooperation-un>.

⁸⁶ International Service for Human Rights, *#EndReprisals* database, <https://endreprisals.ishr.ch/>.

6

INTERVENTION AT THE UN HUMAN RIGHTS COUNCIL (HRC)

This part examines the HRC's interventions since the implementation of the NSL in 2020, focusing on the HRC's 44th session, which was the first one after the NSL was implemented in Hong Kong, and where it received the most attention. Many other examples are described in the section above, about Türk's term.

The HRC is a charter-based body, where member states criticise each other's human rights records. Hence, states that support the PRC have refrained from criticising Hong Kong's human rights violations at the HRC, because of their alliance.

THE HRC'S 44TH SESSION

On 30 June 2020, the day when the NSL was imposed in Hong Kong, two joint statements were made during the HRC's 44th session. The first one was delivered by a group of countries that are critical of the PRC, and the statement was critical of the human rights situation in China. The second one was delivered by a group of the PRC's allies, and the statement endorsed the NSL.

The UK delivered a statement⁸⁷ on behalf of 27 countries, raising “deep and growing concerns at the imposition of legislation related to national security on Hong Kong”, stating that:

- The NSL, a law imposed by Beijing, undermines the “One Country, Two Systems” and high degree of autonomy in Hong Kong as guaranteed under the Sino-British Joint Declaration.
- Rights and freedoms, “including those of the person, of the press, of assembly, and of association” protected under ICCPR and ICESCR are threatened by the NSL.
- The PRC and Hong Kong are urged “to reconsider the imposition of this legislation and to engage Hong Kong’s people, institutions and judiciary to prevent further erosion of the rights and freedoms that the people of Hong Kong have enjoyed for many years.”

Cuba presented the other statement⁸⁸ on behalf of 53 countries, stating that:

- The legislation of NSL was sticking to the “One Country, Two Systems” principle.
- The law was beneficial to Hong Kong’s long-term prosperity, which guaranteed that Hong Kong residents can better exercise legal rights and freedoms in a safe environment.
- “Hong Kong is an inseparable part of China”, so therefore, “Hong Kong’s affairs are China’s internal affairs, and should allow no interference from outside”.
- Foreign countries should not use Hong Kong to meddle in the PRC’s internal affairs.

THE PRC (AND HONG KONG)’S RESPONSES

The PRC used the HRC to push its positive narratives over its imposition of the NSL in Hong Kong, despite repeated concerns that were expressed by UN mechanisms. The 53-country joint statement supporting the NSL, outnumbering countries opposing it through the competing joint statement, was seen as a victory⁸⁹ for the PRC.

On 30 June 2020, following the two joint statements made regarding the imposition of the NSL, Carrie Lam, the then-Chief Executive of Hong Kong, addressed the HRC in a video message,⁹⁰ stressing that:

- “The power to legislate on national security rests solely with the central government”.

87 Foreign & Commonwealth Office, “UN Human Rights Council 44: Cross-regional statement on Hong Kong and Xinjiang,” GOV.UK, 30 June 2020, <https://www.gov.uk/government/speeches/un-human-rights-council-44-cross-regional-statement-on-hong-kong-and-xinjiang>.

88 Global Times, “Over 50 countries support China’s national security law for HK at Human Rights Council,” 1 July 2020, <https://www.globaltimes.cn/content/1193136.shtml>.

89 Dave Lawler, “The 53 countries supporting China’s crackdown on Hong Kong,” *Axios*, 2 July 2020, <https://www.axios.com/2020/07/02/countries-supporting-china-hong-kong-law>.

90 UN Geneva Multimedia Newsroom, “Statement to UN Human Rights Council by Carrie Lam, Chief Executive of Hong Kong,” video/transcript, 30 June 2020, <https://www.unognewsroom.org/story/en/249/statement-to-un-human-rights-council-by-carrie-lam-chief-executive-of-hong-kong>.

- The NSL was “urgently needed” due to the “escalating violence fanned by external forces” in Hong Kong since June 2019.
- The imposition of NSL “will not affect legitimate rights and freedoms of individuals which are protected under the Basic Law and the relevant provisions of international covenants as applied to Hong Kong”.
- The NSL was not to undermine, but instead to restore the principle of “One Country, Two Systems”.
- The international community was urged to respect the PRC’s “right to safeguard national security and Hong Kong people’s aspirations for stability and harmony.”

A year and a half after the imposition of the NSL, during the HRC session in February 2022,⁹¹ Wang Yi, the then-State Councillor and Minister for Foreign Affairs of the PRC, claimed that the transformation of Hong Kong “from chaos to order had been a marked improvement in recent years, which had fostered greater democracy and harmony”.

One year later, during another high-level segment of HRC in February 2023⁹², Qin Gang, the then Minister for Foreign Affairs of the PRC, emphasized that while order had been restored in Hong Kong, the city “would embrace a bright future” under “One Country, Two Systems”.

COUNTRIES CRITICISING THE NSL

While the PRC has used the HRC as a stage to promote its positive narrative over the NSL, other countries have also persistently used it to raise their concerns and criticisms.

In February 2021, during the first high-level HRC segment held since the imposition of NSL,⁹³ the Ministers for Foreign Affairs of both the Czech Republic and of Denmark explicitly condemned the human rights violations in Hong Kong, while the former also called for the city’s return to its democratic norms.

On 23 February 2021, the Ministers for Foreign Affairs of Luxembourg, Japan, and Iceland successively raised concerns over deteriorating civil and political rights,

91 Office of the United Nations High Commissioner for Human Rights, “Human Rights Council Starts High-Level Segment, Hearing from the Presidents of Tunisia, Lithuania, Colombia, Marshall Islands and Venezuela,” press release, 28 February 2022, <https://www.ohchr.org/en/press-releases/2022/02/human-rights-council-starts-high-level-segment-hearing-presidents-tunisia>.

92 Office of the United Nations High Commissioner for Human Rights, “Human Rights Council Hears from 28 Dignitaries as It Continues Its High-Level Segment,” meeting summary, 27 February 2023, <https://www.ohchr.org/en/meeting-summaries/2023/02/human-rights-council-hears-28-dignitaries-it-continues-its-high-level>.

93 Office of the United Nations High Commissioner for Human Rights, “Human Rights Council Hears from 31 Dignitaries as It Continues Its High-Level Segment,” press release, 22 February 2021, <https://www.ohchr.org/en/press-releases/2021/02/human-rights-council-hears-31-dignitaries-it-continues-its-high-level>.

and the human rights situation in Hong Kong.⁹⁴ The representative of the European Union also called on the PRC to respect fundamental freedoms in Hong Kong.⁹⁵ On the next day, the Minister for Foreign Affairs of Italy also raised concerns over the shrinking civil space in Hong Kong.⁹⁶

On 22 June 2021, Canada delivered a joint statement on behalf of 44 countries regarding human rights in the PRC, which raised concerns about “the deterioration of fundamental freedoms in Hong Kong under the National Security Law”.⁹⁷

On 1 July 2021, the International Service for Human Rights (ISHR) organized a side event on assessing the NSL, where the UK representative stated that:⁹⁸

- The NSL “constitutes a clear and serious breach of the Sino-British Joint Declaration”.
- Hong Kong’s high degree of autonomy was undermined as the law was imposed directly from Beijing and the Hong Kong Legislative Council was bypassed.
- The law “seriously undermined Hong Kong’s rights and freedoms”.
- “The law has been used systematically to restrict freedom of expression and to reduce legitimate political debate.”

The US representative also gave a speech at this event,⁹⁹ stating that:

- The PRC’s imposition of NSL in Hong Kong was a breach of international obligations and failed to protect the “rights and freedoms of Hong Kongers and to maintain Hong Kong’s high degree of autonomy for 50 years”.
- The PRC and Hong Kong had stifled “Hong Kongers’ human rights and fundamental freedoms”.
- The enforcement of NSL was an “ongoing, systematic crackdown”.

94 Office of the United Nations High Commissioner for Human Rights, “Human Rights Council Hears from 23 Dignitaries as It Continues Its High-Level Segment,” press release, 23 February 2021, <https://www.ohchr.org/en/press-releases/2021/02/human-rights-council-hears-23-dignitaries-it-continues-its-high-level>.

95 Office of the United Nations High Commissioner for Human Rights, “Human Rights Council Continues Its High-Level Segment and Hears from 29 Dignitaries,” press release, 23 February 2021, <https://www.ohchr.org/en/press-releases/2021/02/human-rights-council-continues-its-high-level-segment-and-hears-29>.

96 Office of the United Nations High Commissioner for Human Rights, “Human Rights Council Concludes High-Level Segment and Holds General Segment,” press release, 24 February 2021, <https://www.ohchr.org/en/press-releases/2021/02/human-rights-council-concludes-high-level-segment-and-holds-general-segment>.

97 Foreign, Commonwealth & Development Office, “UN Human Rights Council 47: Joint Statement on the Human Rights Situation in Xinjiang,” GOV.UK, 22 June 2021, <https://www.gov.uk/government/news/un-human-rights-council-47-joint-statement-on-the-human-rights-situation-in-xinjiang>.

98 Foreign, Commonwealth & Development Office, “UN Human Rights Council 47: UK Statement at the Side Event on Assessing the National Security Law in Hong Kong,” GOV.UK, 1 July 2021, <https://www.gov.uk/government/speeches/un-human-rights-council-47-uk-statement-at-the-side-event-on-assessing-the-national-security-law-in-hong-kong>.

99 Jonathan Fritz, “Assessing the National Security Law in Hong Kong,” United States Department of State, 1 July 2021, <https://2021-2025.state.gov/assessing-the-national-security-law-in-hong-kong/>.

One year later, on 14 June 2022, another joint statement¹⁰⁰ was made in the HRC on the human rights situation in the PRC. Presented by the Netherlands, this joint statement was joined by 47 countries, even more than the one made on 22 June 2021. The countries were “gravely concerned about the deterioration of respect for human rights and fundamental freedoms in Hong Kong.”

THE UNIVERSAL PERIODIC REVIEW (UPR)

At the UPR, a peer-review mechanism focused on UN member states’ human rights, the above dynamics were seen again. The PRC’s fourth UPR cycle was held in January 2024, which was the first PRC UPR session after its imposition of NSL in Hong Kong.

First, the PRC submitted its national report¹⁰¹ to the working group of the UPR, which discussed the “the improvement of the electoral system, [and that] the situation in Hong Kong has marked a major turn from chaos to governance and has moved towards a new phase of stability and prosperity” since the imposition of the NSL.

Complementing the PRC’s national report, Chan Kwok-ki, the Chief Secretary of Hong Kong, also gave an opening remark at the UPR meeting, stating that:¹⁰²

- The NSL was a “successful national policy” ensuring the principle of “One Country, Two Systems”.
- Hong Kong people “can continue to enjoy the legitimate rights and freedoms” after the stability and law and order being restored since the implementation of NSL.

While the PRC (and Hong Kong) once again promoted its positive narrative of the NSL, Hong Kong remained one of the key issues that the PRC faced during the session. Among the 36 countries which had prepared questions¹⁰³ for the PRC in advance, eight of them mentioned Hong Kong. All except one (Russia) was critical.

100 Australian Government Department of Foreign Affairs and Trade, “Joint Statement on Behalf of 47 Countries in the UN Human Rights Council on the Human Rights Situation in China,” statement delivered 14 June 2022, <https://www.dfat.gov.au/international-relations/joint-statement-behalf-47-countries-un-human-rights-council-human-rights-situation-china>.

101 Human Rights Council Working Group on Arbitrary Detention, “Opinions adopted by the Working Group on Arbitrary Detention at its ninety-sixth session, 27 March–5 April 2023: Opinion No. 30/2023 concerning Ms. Hang Tung Chow (Hong Kong, China),” A/HRC/WGAD/2023/30, 1 May 2023, <https://www.ohchr.org/sites/default/files/documents/issues/detention-wg/opinions/session96/A-HRC-WGAD-2023-30-AEV.pdf>, ¶¶ 95–101.

102 Government of the Hong Kong Special Administrative Region, “Opening Remarks by CS at UNHRC Universal Periodic Review Working Group Meeting,” 23 January 2024, <https://www.info.gov.hk/gia/general/202401/23/P2024012300583.htm>.

103 Office of the United Nations High Commissioner for Human Rights, “Universal Periodic Review – China,” <https://www.ohchr.org/en/hr-bodies/upr/cn-index>.

During the UPR interactive dialogue,¹⁰⁴ in response to criticisms about the NSL the PRC stressed the “essence about safeguarding the national sovereignty, security and unity of China”.

When concluding the UPR session, 19 countries made a total of 23 recommendations¹⁰⁵ mentioning Hong Kong, with two clearly supporting NSL, 20 opposing or raising concerns over it, and one addressing other issues in Hong Kong. They are as follows, including the PRC’s responses:¹⁰⁶

Stance on NSL	Recommendation	Country	PRC Re-sponse
Support	Supporting the PRC’s measures to safeguard its national security, including that in Hong Kong	Eritrea Venezuela	Accepted
Opposition or concern	Ensure Hong Kong to uphold its obligations under ICCPR	Canada	Accepted and already implemented
	Guarantee the fundamental rights and freedoms in Hong Kong	France Germany Japan Liechtenstein Lithuania	

104 UN Web TV, “China UPR Adoption – 45th Session of Universal Periodic Review,” video, 26 January 2024, <https://webtv.un.org/en/asset/k1j/k1jw404oxg>.

105 Human Rights Council, “Report of the Working Group on the Universal Periodic Review: China,” A/HRC/56/6, 2024, <https://docs.un.org/en/A/HRC/56/6>.

106 Office of the United Nations High Commissioner for Human Rights, “Universal Periodic Review – China,” <https://www.ohchr.org/en/hr-bodies/upr/cn-index>; Human Rights Council, “Report of the Working Group on the Universal Periodic Review: China: Addendum,” A/HRC/56/6/Add.1, 2024, <https://docs.un.org/en/A/HRC/56/6/Add.1>.

Opposition or concern	Repeal the NSL	Australia Canada Czech Republic New Zealand United Kingdom United States	Rejected
	Revise NSL	Belgium Luxembourg Switzerland	
	Cease repressive measures in Hong Kong	Austria Netherlands United States ¹⁰⁷	
	Release all arbitrarily detained for exercising their right to freedom of expression in Hong Kong	Denmark	

107 Human Rights Council, “Report of the Working Group on the Universal Periodic Review: China,” A/HRC/56/6, 2024, <https://docs.un.org/en/A/HRC/56/6>, ¶¶ 22.99 and 22.414. Recommendations 22.99 and 22.414 concern Hong Kong-related human rights issues, including the National Security Law.

7

HONG KONG GOVERNMENT'S REACTIONS

To assess the Hong Kong government's responses to UN human rights mechanisms, the report analyses 36 official sources, including news releases, human rights reports, supplementary replies, public correspondence, and ministerial comments published between the enactment of the NSL in 2020 and the writing of this report in April 2026.

These sources provide insight into how Hong Kong engages with UN bodies, addresses inquiries, and responds to international criticism. There are four distinct types of responses:

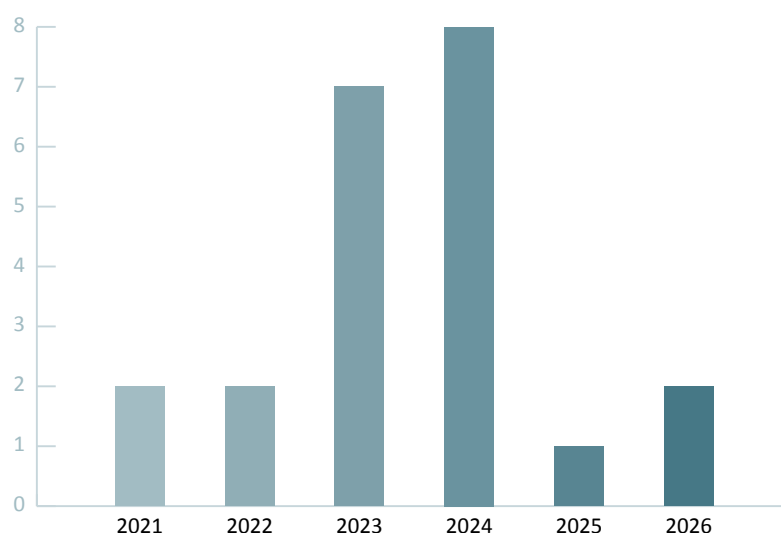
Category	Descriptions
Engagement	Participation in UN treaty bodies hearings
Replies	Formal responses to UN inquiries including letters and reports
Statements	Releases and ministerial speeches of official positions
Rebuttals	Releases of rebuttals to UN statements

More than half of responses are Rebuttals, which highlights the government's proactive stance in defending the NSL and countering international concerns (see Charts 1 and 2 below).

Chart 1. Types of Responses by Hong Kong Government since the NSL



Chart 2. Number of rebuttals mentioning the UN released since the NSL



HONG KONG'S RESPONSES TO UN HUMAN RIGHTS MECHANISM

Hong Kong own narrative presents a picture of active and transparent engagement with the international human rights community and has emphasised its participation in UN human rights mechanisms on face value.¹⁰⁸ However, its responses to the UN, especially towards treaty bodies and special procedures, suggest a defensive and even adversarial stance.

108 Constitutional and Mainland Affairs Bureau, Government of the Hong Kong Special Administrative Region, "Human Rights Reports," https://www.cmab.gov.hk/en/press/hr_reports.htm.

TREATY BODIES

RESPONSES TO ICCPR CONCLUDING OBSERVATIONS (2022)

Hong Kong's response¹⁰⁹ to the UN Human Rights Committee's 2022 Concluding Observations¹¹⁰ demonstrates a continuously defensive and hostile attitude toward UN human rights mechanisms. Hong Kong's official statement is lengthy and exhaustive, attempting to rebut nearly every point of criticism raised by the Committee. Rather than constructively engaging with the human rights concerns raised by the Committee, the government states that the Committee's observations as "unfounded," "mischaracterized," and based on "misunderstandings." This aims to invalidate international criticism and enforce the NSL.¹¹¹

RESPONSES TO CESC CR CONCLUDING OBSERVATIONS (2023)

Hong Kong's response¹¹² to the UN Committee on Economic, Social and Cultural Rights (CESCR) Concluding Observations¹¹³ reflects the same defensive and dismissive attitude it displayed toward the Human Rights Committee's critiques. Rather than engaging constructively with the Committee's concerns, Hong Kong focused on refuting criticisms and justifying its policies, all while failing to address substantive human rights issues.

The response framed the Committee's observations as based on "misconceptions," and emphasised that Hong Kong had been "open and frank" in its engagement¹¹⁴. Rather than responding to any concerns regarding labour rights, press freedom, or the impact of the NSL on social and economic rights, the government simply repeated its narrative of stability and prosperity instead. On top of this, the response used emotionally charged and dismissive language to undermine the Committee's findings.

The government also claimed that certain concerns were "factually incorrect" and "unfounded" and emphasised that Hong Kong had always adhered to the principle of "acting in accordance with the law," which uses legality as a shield to

109 Government of the Hong Kong Special Administrative Region, "HKSAR Government Strongly Objects to Unfair Criticisms from UN Human Rights Committee," 27 July 2022, <https://www.info.gov.hk/gia/general/202207/27/P2022072700588.htm>.

110 Human Rights Committee, "Concluding observations on the fourth periodic report of Hong Kong, China," CCPR/C/CHN-HKG/CO/4, 11 November 2022, <https://docs.un.org/en/CCPR/C/CHN-HKG/CO/4>.

111 Ibid ¶13

112 Government of the Hong Kong Special Administrative Region, "HKSAR Government Strongly Objects to Unfounded and Misleading Concluding Observations of UN Committee on Economic, Social and Cultural Rights," 7 March 2023, <https://www.info.gov.hk/gia/general/202303/07/P2023030700015.htm>.

113 Committee on Economic, Social and Cultural Rights, "Concluding observations on the third periodic report of China, including Hong Kong, China, and Macao, China," E/C.12/CHN/CO/3, 22 March 2023, <https://docs.un.org/en/E/C.12/CHN/CO/3>.

114 Ibid ¶16

deflect human rights criticisms¹¹⁵. This selective interpretation of legal obligations, in combination with the rejection of key concerns, reflects the government's broader strategy of denying international accountability while reinforcing its domestic narrative of governance success.

Hong Kong's failure to meaningfully engage with the CESCR's recommendations highlights its broader strategy of rejecting international oversight, portraying external criticism as misinformed, and refusing to acknowledge the NSL's impact on economic and social rights. This continued hostility toward UN human rights mechanisms underscores the shrinking space for civil society and independent institutions in Hong Kong since the NSL.

RESPONSES TO CONDEMNATIONS OF NSL CONVICTIONS

Despite Hong Kong's strong rejection of criticisms of the NSL and the conviction of pro-democracy figures under the NSL, its responses have been carefully framed to target Western countries and institutions, particularly the United States¹¹⁶, and civil society organisations such as the International Bar Association's Human Rights Institute (IBAHRI)¹¹⁷ rather than directly confronting the UN human rights mechanisms.

This deliberate avoidance of explicit opposition to UN bodies suggests that Hong Kong, while defending its security laws, may still recognise the strategic importance of maintaining a working relationship with the UN. Openly attacking the HRC or other human rights mechanisms could risk further isolating Hong Kong and the PRC on the international stage, which would reduce their ability to influence these institutions.

By targeting Western critics instead, Hong Kong frames the issue as a geopolitical struggle rather than a human rights one, which keeps channels open for engagement with the UN. This reserved stance reflects a calculated approach which prioritises diplomacy while also defending the legitimacy of the NSL.

115 Government of the Hong Kong Special Administrative Region, "HKSAR Government Strongly Objects to Unfounded and Misleading Concluding Observations of UN Committee on Economic, Social and Cultural Rights," 7 March 2023, <https://www.info.gov.hk/gia/general/202303/07/P2023030700015.htm>.

116 Government of the Hong Kong Special Administrative Region, "HKSAR Government Strongly Condemns and Opposes Unfounded Smears Against Court of First Instance Verdict on Conspiracy to Commit Subversion Case," 31 May 2024, <https://www.info.gov.hk/gia/general/202405/31/P2024053100979.htm>.

117 Government of the Hong Kong Special Administrative Region, "HKSAR Government Strongly Disapproves of Untruthful and Smearing Remarks on Safeguarding National Security Ordinance by International Bar Association's Human Rights Institute," 27 March 2024, <https://www.info.gov.hk/gia/general/202403/27/P2024032700813.htm>.

SPECIAL PROCEDURES

CHOW HANG-TUNG

In 2021, the Hong Kong prosecution office responded to the concerns raised by the four UN Special Rapporteurs about the arrest of human rights lawyer Chow Hang-tung and the broader implementation of the NSL.¹¹⁸ The statement followed the pattern above. Instead of engaging with the specific concerns regarding Chow's detention and the shrinking space for civil society, Hong Kong instead made broad assertions.

Hong Kong emphasised that rights "are not absolute" and can be lawfully restricted for reasons such as national security and public order, and ignored the heart of the UN experts' concerns. This tactic allowed Hong Kong to claim that they were compliant with international human rights standards while avoiding a genuine discussion on whether such restrictions were proportionate, necessary, or being used to silence political opposition.

Additionally, Hong Kong's claim that prosecutors act based on "evidence and free from interference" ignored the broader structural concerns regarding judicial independence under the NSL. The UN experts had specifically highlighted the NSL's chilling effect on civil society, as well as the arbitrary application of the law against individuals like Chow, whose legal work and activism were in line with internationally recognized human rights protections, and this was ignored.

By refusing to address the details of Chow's case and instead focusing on procedural legality, the Hong Kong government demonstrated that it is unwilling to engage meaningfully with UN human rights mechanisms, which reinforced its broader strategy of maintaining diplomacy without engaging with the criticisms.

JIMMY LAI

The Hong Kong government's responses to UN human rights mechanisms concerning Jimmy Lai's case followed the consistent pattern of deflection, hostility, and non-engagement.

Across multiple inquiries, including the Special Procedures' initial communication in March 2023 and the Working Group on Arbitrary Detention's opinion in August 2024, Hong Kong repeatedly framed UN interventions as politically motivated attempts to interfere with the city's judicial system. This stance disregarded the legitimate human rights concerns raised by UN experts and also demonstrated a growing reluctance to engage meaningfully with international human rights mechanisms. Hong Kong tried to undermine their legitimacy while avoiding any direct engagement with the concerns about Lai's detention and trial.

¹¹⁸ Department of Justice, Government of the Hong Kong Special Administrative Region, "DoJ responds to UN statement," 13 October 2021, https://www.news.gov.hk/eng/2021/10/20211013/20211013_185432_615.html.

Hong Kong's first major response came in May 2023, following the Special Procedures' letter in March 2023, which raised eight critical questions about Lai's detention, including whether the offence of "collusion with foreign forces" criminalised cooperation with the UN¹¹⁹. Hong Kong dismissed these concerns as "interference," avoided clarifying whether the NSL criminalised engagement with the UN, and urged the UN to prevent its mechanisms from being "used to achieve political objectives"¹²⁰. This ambiguity reinforced fears that Hong Kongers' interactions with international human rights mechanisms could be prosecuted, further chilling civil society and global advocacy, without responding to the criticisms.

Meanwhile, in court in Hong Kong, Lai was accused of instructing the non-governmental organisation Stand with Hong Kong (SWHK) to advocate for sanctions, which were framed as "collusion with foreign forces." Lai had disclosed his UN advocacy before his arrest¹²¹ and this accusation showed that the NSL was being used to target those cooperating with UN human rights mechanisms. While Hong Kong denied criminalising such engagement in its international responses, its prosecutions suggested otherwise. This contradiction reveals Hong Kong's strategy of rejecting external criticism while simultaneously leveraging the NSL to suppress global human rights engagement.

A similar approach was taken in January 2024 when Special Procedures raised concerns regarding the alleged torture of Andy Li, who was a key witness in the Lai trial.¹²² The then-Chief Secretary, Chan Kwok-ki, was in Geneva attending the UPR Working Group meetings at the time, and made no comment.¹²³ A response was finally issued in June 2024: Hong Kong rejected the inquiry as an attempt to "interfere with or obstruct the course of justice".

Although it acknowledged that Hong Kong had relayed detainees' family requests for information, it provided no substantive engagement on the allegations of tor-

119 Special Procedures of the Human Rights Council, AL CHN 1/2023, 17 March 2023, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=27848>.

120 Permanent Mission of the People's Republic of China to the United Nations Office at Geneva, response to AL CHN 1/2023, <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gld=37508>, ¶ 60.

121 Hans Tse, "Aide of Hong Kong Media Mogul Jimmy Lai Set Up US Senator Meeting with Protesters in 2019, Court Hears," Hong Kong Free Press, 20 March 2024, <https://hongkongfp.com/2024/03/20/aide-of-hong-kong-media-mogul-jimmy-lai-set-up-us-senator-meeting-with-protesters-in-2019-court-hears/>.

122 Special Procedures of the Human Rights Council, AL CHN 2/2024, 25 January 2024, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=28734>.

123 Government of the Hong Kong Special Administrative Region, "CS Attends UNHRC Universal Periodic Review Working Group Meetings and Calls on International and Local Organisations in Switzerland," 27 January 2024, <https://www.info.gov.hk/gia/general/202401/27/P2024012700044.htm>.

ture.¹²⁴ This response illustrated Hong Kong's unwillingness to engage with UN human rights mechanisms, particularly when they involved cooperation with the PRC. By August 2024, the Working Group on Arbitrary Detention had formally concluded that Lai's detention was arbitrary and violated the ICCPR¹²⁵. However, Hong Kong chose not to respond to the inquiry or provide any counterarguments to support its actions¹²⁶. When Hong Kong finally addressed the issue on 13 September 2024, it did not attempt to rebut the findings but instead reiterated its claim that such efforts aimed at interfering in judicial proceedings¹²⁷.

This refusal to cooperate with the UN mechanism underscored Hong Kong's broader strategy of disengagement. By outright rejecting the legitimacy of the UN's findings without offering any substantive counterarguments, Hong Kong demonstrated a hostility toward human rights oversight and a deliberate refusal to engage with international accountability mechanisms.

AFTER 2025

Since 2025, Hong Kong has not made any public comments in response to UN mechanisms and only made one UN-related public comment in 2025,¹²⁸ then two in 2026 (at the time of writing). However, in response to recent Hong Kong-related UN mechanism actions, the PRC rather than Hong Kong authorities has stepped in to issue loud rebuttals. For example, in response to the UN Special Procedures letter about Kevin Yam in 2025, the PRC's Mission to the UN published a letter saying that the "allegations therein are not only unfounded and biased, but also deliberately misleading and even defamatory against the judicial and legal system of the Hong Kong SAR, contrary to the spirit of the rule of law."¹²⁹

There are two possible reasons for this change: firstly, the UN human rights mechanisms operate in cycles, and they conducted multiple reviews in 2024, which result-

124 Permanent Mission of the People's Republic of China to the United Nations Office at Geneva, reply to AL CHN 2/2024, 7 June 2024, <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gld=38742,¶¶25–29>.

125 Human Rights Council Working Group on Arbitrary Detention, "Opinions adopted by the Working Group on Arbitrary Detention at its 100th session, 26–30 August 2024: Opinion No. 34/2024 concerning Mr. Jimmy Lai Chee-ying (Hong Kong, China)," A/HRC/WGAD/2024/34, 26 September 2024, <https://www.ohchr.org/sites/default/files/documents/issues/detention-wg/opinions/session100/a-hrc-wgad-2024-34-china-hong-kong-advance.pdf>.

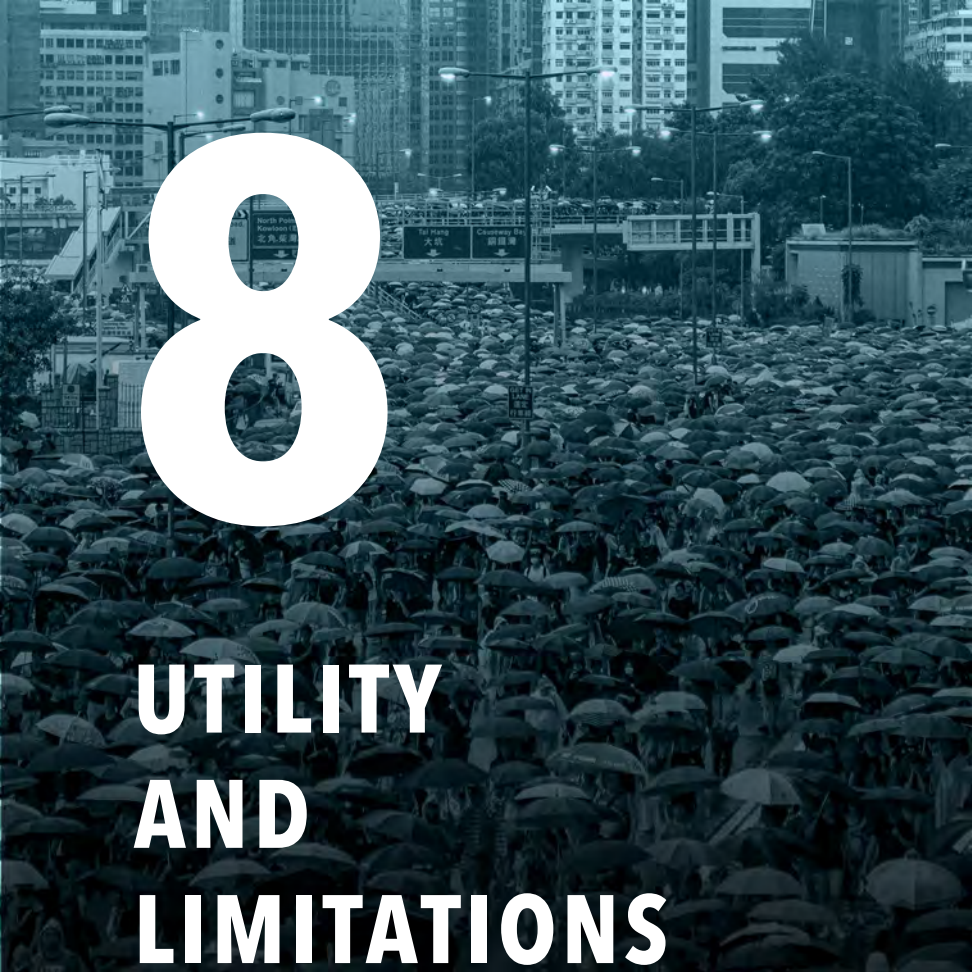
126 Ibid ¶¶90

127 Government of the Hong Kong Special Administrative Region, "HKSAR Government Opposes Foreign Interference with Judicial Proceedings Concerning Hong Kong National Security Law Case," 13 September 2024, <https://www.info.gov.hk/gia/general/202409/13/P2024091300850.htm>.

128 Government of the Hong Kong Special Administrative Region, "HKSAR Government Expresses Dissatisfaction with and Opposition to Unfounded Comments by Individual So-Called Human Rights Experts on Lai Chee-ying Case," 24 December 2025, <https://www.info.gov.hk/gia/general/202512/24/P2025122400777.htm>.

129 Permanent Mission of the People's Republic of China to the United Nations Office at Geneva, "Letter to the Office of the High Commissioner for Human Rights," CHN/HR/2025/77, 4 November 2025, <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gld=39326>.

ed in many publications. As less has been published since, there is less to respond to today. Secondly, as the PRC increases its control over Hong Kong, and Hong Kong loses its independent voice, there is decreasing need for Hong Kong to make its own responses to the UN mechanisms, and the PRC can respond to Hong Kong-related topics when necessary.



8

UTILITY AND LIMITATIONS

Hong Kong and the PRC's confrontational attitude in response to international criticism has cast doubt on the effectiveness of UN human rights mechanisms. Rather than fostering transparency and accountability, these platforms are increasingly used by the political authorities in Hong Kong to reinforce its narrative of sovereignty, legitimacy, and legal order. As a result, instead of holding authorities to account, UN processes risk being co-opted to normalise and deflect criticism.

Even though Hong Kong remains bound by international human rights treaties, its persistent defiance, the absence of enforcement mechanisms, and local courts' deference to the NSL continue to limit meaningful compliance. All this is also on top of the PRC's increasing control over Hong Kong and the PRC's influence at the UN. Nonetheless, these mechanisms retain strategic value in documenting violations, mobilising international attention, and supporting civil society advocacy.

CAN UN HUMAN RIGHTS OPINIONS STRENGTHEN HUMAN RIGHTS DISCOURSE

Even though Hong Kong is keen on rebutting criticism from UN human rights bodies, local media outlets can still disseminate critical opinions and recommendations from the UN human rights mechanisms via balanced reporting, which enables the public to digest and reflect on controversial legal and policy debates with international human rights language and discourse. Hence, local journalists and

civil society can be enriched by discourse from UN human rights bodies, which are persistently addressing human rights violations in Hong Kong.¹³⁰

Hong Kong has a growing number of GONGOs (Government Organised Non-Government Organisations) and representatives at the UN, who reiterate Hong Kong and PRC talking points while pretending to be independent. These offer legitimacy and support and take up the place of legitimate civil society, so it is important that these groups are recognised for who they really are, and that civil society is persistent and critical of human rights violations as the space is shrinking.

However, the above narratives and discourse from the UN mechanisms are mostly reformist: they tackle policy implementation, law enforcement, and legislations, rather than political regime type of a state party. Even though the UN bodies emphasise the importance of democratic governance, they rarely denounce autocratic and totalitarian regimes and cannot recommend regime change or enforce binding measures that hold perpetrators of grave human rights violations accountable.¹³¹ This approach is demonstrated by the emphasis on “constructive dialogue” with state parties in the treaty body reviews, and the nature of the UN mechanisms as non-binding. For Hong Kong, the utility is further limited by the fact that Hong Kong is not an independent sovereign state, so the UN human rights mechanisms mainly engage with the PRC regarding human rights in Hong Kong.

TREATY BODIES: A MORAL OBLIGATION WITHOUT ENFORCEMENT POWER

Hong Kong is legally obliged to report on its implementation of human rights treaties under UN treaty bodies. However, compliance is voluntary, and there are no direct consequences for non-compliance. While the treaty obligations are binding, the implementation of treaty body recommendations, however, depends largely on political will and pressure.

Hong Kong authorities have repeatedly dismissed criticisms and ignored recommendations without facing material repercussions. Unfortunately, this reflects the broader trend of states selectively disregarding treaty body recommendations without consequences. Even though repeated condemnations and formal observations may document violations, they do not exert tangible pressure on Hong Kong to change its behaviour. Like many other governments accused of human rights violations, Hong Kong and the PRC can withstand international criticism while continuing restrictive practices at home.

That said, the concluding recommendations remain powerful for civil society actors

130 For further reading on how UN human rights discourse remains useful for human rights education in Hong Kong, see Yan-ho Lai, “Not Just About the Law: Reflections on *A Report on the National Security Regime in Hong Kong* (2024),” *Taiwan Human Rights Journal* 7, no. 4 (2024): 89–110.

131 This concern was raised by Katherine (alias), an anonymous Hong Kong human rights defender in exile whose case was communicated by UN Special Procedures: “It is disappointing that the statement did not clearly call for the withdrawal of the baseless charges against us, nor propose any mechanism to sanction governments that continue to violate international covenants... their statement risks appearing little more than a ‘toothless tiger’.” Interview by the authors, March 2026.

and the general public to further debates and narrate human rights violations in Hong Kong as a form of resistance against state's effort to rewrite the city's history. As one overseas advocacy group commended,

*"This CCPR review is happening at a critical time for Hong Kong. Thousands of pro-democracy supporters are awaiting trial as the government attempts to re-frame the meaning and legality of Hong Kong's democracy movement by criminalizing it. In reaffirming the civil and political rights of the people of Hong Kong, the Committee will repudiate the government's attempt to demonize the people of Hong Kong for seeking democracy and human rights, and the government's efforts to rewrite history."*¹³²

THE ROLE OF SPECIAL PROCEDURES: VISIBILITY AND MEDIA LEVERAGE

The UN Special Procedures mechanism plays an even stronger role in bringing global attention to Hong Kong's human rights violations. The publication of their reports, urgent appeals, and press statements helps frame the Hong Kong situation within the international human rights discourse. Like the treaty bodies, while these opinions also lack enforcement power, they provide journalists, civil society groups, and policymakers with authoritative references by independent experts. Local and international media can use these findings to maintain pressure on the government and inform the public, thereby countering state-controlled narratives.

As highlighted by an anonymous human rights defender whose case was communicated by UN Special Procedure, *"I believe the SPS process remains highly important insofar as (1) it seeks to vouch internationally for a person who has been smeared and victimised by one's own government; and (2) serve as a morale booster for the victim of oppression as a reminder that the world has not forgotten about one's plight."*¹³³

CHALLENGES OF SPECIAL PROCEDURES: DEPENDENCE ON INDIVIDUAL EXPERTS

The effectiveness of the Special Procedures mechanism is, however, dependent on the individual mandate holders, who are leading the mandates. Since they serve in set terms, the change in personnel can impact the level of scrutiny given to Hong Kong. If future mandate-holders are less invested in Hong Kong, monitoring could weaken, resulting in reduced international attention. Furthermore, as the PRC continues to expand its diplomatic influence within the UN system, there is a risk that rapporteurs mandate holders more sympathetic to Beijing's position could be appointed, reducing the mechanism's impact. Thus, while special procedures currently play an important role, their long-term effectiveness is unclear.

132 China Human Rights Defenders, "UN Set to Review Deteriorating Human Rights Situation in Hong Kong," 7 July 2022, <https://www.nchrd.org/2022/07/un-set-to-review-deteriorating-human-rights-situation-in-hong-kong/>.

133 Interview with Jonathan (alias), Hong Kong human rights defender in exile, conducted by the authors, February 2026.

HUMAN RIGHTS COUNCIL: POLITICAL GRIDLOCK

The HRC, as an intergovernmental body, is often divided along geopolitical lines. While liberal democracies have consistently criticised Hong Kong's human rights violations including the NSL, the PRC has mobilised support from its allies to counter these critiques.

In previous HRC sessions, statements condemning Hong Kong's human rights situation were often met with counterstatements defending the PRC's sovereignty and national security measures. With the PRC's economic and diplomatic influence expanding, particularly in Africa, Asia, and Latin America, it is increasingly difficult to build strong and unified criticism of its human rights violations. The political nature of the HRC thus limits its ability to exert pressure on the PRC regarding Hong Kong.

NATIONAL SECURITY OVER HUMAN RIGHTS

Despite Hong Kong's legal obligation to uphold international human rights standards under Article 39 of the Basic Law, its courts have increasingly prioritised national security over human rights in NSL cases, which is also hurting the rule of law.

This has been evident in the prosecutions of activists, journalists, and opposition figures, where Hong Kong's courts have applied a restrictive interpretation of rights and cited national security concerns to justify limitations of expression and assembly. This further weakens the impact of UN recommendations, because the judiciary's reluctance to enforce international norms limits the effect of UN human rights mechanisms' recommendations.

STRATEGICALLY USING UN HUMAN RIGHTS MECHANISMS

Despite the limitations of UN human rights mechanisms, civil society can still leverage them strategically to maintain international scrutiny and pressure. To make the most of these mechanisms, civil society actors, particularly transnational or diasporic groups, should maximize their engagement through shadow reporting and writing their own submissions to UN treaty bodies and special procedures.

Amplifying special rapporteurs' statements and communications can also help frame local issues within an international human rights context and strengthen advocacy efforts. Additionally, making UN findings accessible to the broader public, through simplified materials, translations, or media dissemination, can also raise awareness locally.¹³⁴ Finally, systematic documentation of rights violations is essential to support future legal challenges, international campaigns, and long-term accountability efforts because there will be a historical record. These efforts are valuable tools for civil society to sustain international attention and advocacy on Hong Kong.

134 Hong Kong Centre for Human Rights, "UN Treaty Body Concluding Observations Database (Hong Kong)," <https://hkchr.org/en/database-2/un-treaty-body-concluding-observations-database>.

9

NEW TREND: TRANSNATIONAL REPRESSION AND THE UN'S RESPONSES

In June 2025, the OHCHR launched its first-ever brief on transnational repression (TNR) at a side event during the 59th session of the UN Human Rights Council (HRC).¹³⁵

The brief defines TNR as “acts conducted or directed by a State, or its proxy, to deter, silence or punish dissent, criticism or human rights advocacy towards it, expressed from outside its territory.” It adds that “these acts often target civil society actors abroad, such as human rights defenders (HRDs), journalists, and whistle-blowers as well as their families or associates who remain in the repressing country.”

The brief lists prevalent forms of TNR and the common effects on persons targeted, and makes recommendations for addressing TNR and protecting those targeted.

This includes:

- Awareness and training;
- Holistic protection for at-risk person;

135 Office of the United Nations High Commissioner for Human Rights, *Transnational Repression*, 18 June 2025, <https://www.ohchr.org/en/documents/tools-and-resources/transnational-repression>.

- Accountability and legal recourse;
- Digital security and technology measures.

The PRC is one of the most well-documented perpetrators of TNR globally, and has targeted Hong Kongers around the world via many tools including digital transnational repression and physically attacking people.

The OHCHR brief reflects growing UN attention to transnational repression as a pattern of conduct that can violate multiple human rights, including freedoms of expression, association, movement, privacy. This new UN brief reflects the recognition that TNR is a form of human rights violation and that it is increasing. The UN's official definition and toolkit related to TNR are helpful as they can be educational tools to domestic law enforcement, who need to understand and address TNR, for example against Hong Kongers in the UK. As transnational repression is escalating, including practices against Hong Kongers abroad, it remains to be seen whether UN human rights mechanisms will take stronger action on this topic, and whether Hong Kongers can leverage these tools to their full potential.

Then finally, in July 2025, nine UN experts published a letter expressing that they had received a "reported surge in human rights violations of a transnational nature against activists, human rights defenders and ethnic and religious minorities from China who have fled to other countries" which included people from Hong Kong. This reflects that TNR is being addressed by multiple mechanisms at the OHCHR at the same time.

10

CONCLUSION

The opinions and recommendations from all the UN human rights mechanisms are rich and beneficial to human rights education and narrative-building in Hong Kong, both in the city and in diaspora communities. This is illustrated by the human rights defenders' cases that are highlighted by various UN human rights mechanisms, the integration of transnational repression into UN human rights framework (which recognises human rights violations in the diaspora), and the treaty body mechanisms that Hong Kong has a constitutional obligation to comply with.

Nevertheless, whether the UN human rights mechanisms are empowering to the Hong Kong communities depends on whether and how the Hong Kong and PRC governments, alongside other liberal democratic Member States, appreciate and respond to the opinions and recommendations. It also depends on the robustness and effectiveness of the UN mechanisms amid rising geopolitical tensions and the decline of trust towards rule-based international order.

Furthermore, the PRC's systematic attempts to manipulate the UN system, the extraterritorial application of the NSL and other laws, as well as the limitations of the UN system such as the emphasis on constructive dialogue and quiet diplomacy, continues to make UN bodies less efficient to stop human rights violations, and even puts UN engagement at risk.

Although tensions between geopolitical dynamics and the independence of expert opinions at the UN persist, this does not undermine the weight of the narratives which are strongly aligning with the UDHR, the ICCPR and the ICESCR. For decades, Hong Kong civil society organisations have been engaging in all these mechanisms and publicly disseminating the opinions of the concluding recommendations as well as UN public statements. While most of these organisations were disbanded in Hong Kong under the new national security order, such advocacy and dissemination work are now taken up by international NGOs, foreign law schools and exiled communities. Local media outlets in Hong Kong, as mentioned above, are still able to report on such publicly available information from the UN. After all, civil society engagement is one of the key elements making the UN mechanisms work.

Equally important is that the UN human rights mechanisms are one of the many international tools that can address human rights violations in Hong Kong. Other tools may include the universal jurisdiction mechanism that states use to investigate and adjudicate crimes against humanity and torture, among others. Furthermore, UNESCO and other multilateral mechanisms supporting archive and heritage of human rights struggles across the world are alternative platforms to preserve the collective memory and history of global human rights movements including Hong Kong. It is of utmost importance for those who are working on human rights in Hong Kong to stretch their capacities to leveraging international law, international criminal justice and heritage sites, enabling more creative and effective initiatives in human rights advocacy, strategic litigation and memory activism at both local and multilateral levels.

This report serves to inspire hope with prudence, not pessimism. Members of the Hong Kong community, including researchers, journalists, educators, judges, advocates and policymakers, should continue to treat UN human rights discourse as authoritative opinions to facilitate their decision-making and narrative-building processes. After all, without civil society engagement, the UN mechanisms' effectiveness would be significantly limited. The impacts of the UN human rights bodies may not be seen on the institutions immediately but can produce meaningful outcome in collaboration with civil society in the long run.

ABOUT US

Resilience Innovation Lab (RIL) was founded by Asian veteran researchers and human rights defenders in 2023. RIL promotes innovation, experimentation, and the exchange of research and educational initiatives that aim to develop and strengthen the democratic and digital resilience of organisations and individuals working in repressive environments.

RIL envisions a synergy of democracy, technology and civil society resilience today, especially when authoritarianism emerges as a common threat to liberal democracies and open societies. Building the capacities of citizens and civil groups to respond to such a new environment with creative and innovative instruments is of paramount importance for their sustainable development.

Our work focuses on the adoption of decentralised technologies for digital preservation of community memory and history in conflict and post-conflict areas, and building resilience of rule of law institutions as well as rule of law cultures in non-democratic regimes.

RIL's website: www.resilienceinnovationlab.org

Subscribe RIL's Newsletters: <https://mailchi.mp/dd2532d9c443/subscribe-us>



UN Human Rights Mechanisms and Hong Kong: Strategically Using Limited Tools
2026 Resilience Innovation Lab

This work is licensed under a Creative Commons Attribution-NonCommercial-NoDerivs 4.0 International License (CC BY-NC-ND). You are free to share this work—copy and redistribute it in any medium or format—under the following conditions:

Attribution – You must give appropriate credit, provide a link to the license, and indicate if changes were made.

Non Commercial – You may not use the material for commercial purposes.

No Derivatives – If you remix, transform, or build upon the material, you may not distribute the modified version.

For more details, visit the official license page: <https://creativecommons.org/licenses/by-nc-nd/4.0/>

Contact: info.ril@proton.me

Photo Credits:

Cover, Shutterstock/ Lewis Tse

Page 10, Wikimedia/ Ludovic Courtès / <https://creativecommons.org/licenses/by-sa/3.0/deed.en>

Page 14, Wikimedia/ Mojnson / <https://creativecommons.org/licenses/by-sa/4.0/deed.en>

Page 20 & 27, Wikimedia/ Nick-D/ <https://creativecommons.org/licenses/by-sa/4.0/deed.en>

Page 34, Wikimedia/ Citobun/ <https://creativecommons.org/licenses/by-sa/4.0/deed.en>

Page 42, Wikimedia/ Studio Incendo/ <https://creativecommons.org/licenses/by/2.0/deed.en>

