

**Forum:** Human Rights Council Commission II (HRC II)

**Issue:** Addressing Violence and Human Rights Violations in Hong Kong

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## Introduction

The people who want order are the people who have power in the status quo. This is true throughout history and is apparent when we examine the case of Hong Kong. When one is satisfied by one's surroundings, one often does not want to change anything. This is why class divisions are so apparent today and historically. Whether it is through economic privileges or social priorities, the upper and middle class all want different amounts of change being made to their society, thus they are often on opposing sides when it comes to social revolution.

In Hong Kong, the youths caught wind of the fact that there was going to be an extradition bill that would allow citizens of Hong Kong to be tried in Mainland China and started campaigns to remove this bill from consideration. This bill outraged many people because this led to a decreased sense of judicial independence from China. Even though Hong Kong was technically recognized in the international community as part of the PRC, Hong Kong has its own fully functioning government that governs over domestic issues. This leads to a sense of nationalism, where people living in Hong Kong identify themselves as citizens of Hong Kong rather than citizens of the People's Republic of China. This sets the stage for later protests that call for more independence from China after the bill that calls for extradition is removed.

The protests started off for a number of reasons, but the five main goals can be summarized to the following: the protests be considered as peaceful and not violent riots, guaranteed pardons for any protesters that have been arrested, police brutality in Hong Kong be investigated, universal suffrage, and the removal of the extradition bill. As seen, what started off

as a protest fueled by the fear of China infringing upon the unofficial sovereignty that Hong Kong possesses quickly turned into a complete upheaval of Hong Kongese politics.

Delving deeper into the reasoning behind these protests, we can see that there are two main concerns that launched people into these protests. The first reason is that if people can be tried in China, this obviously takes away judicial power from Hong Kong. As long as the Chinese judicial system has the capacity to take in Hong Kongese trials, they will do so in order to impose another form of soft power over Hong Kong. Basically, it is a tactic that can be used to tighten the Chinese grip on Hong Kong. The second reason is that dissidents would be in danger. The Chinese government is notorious for allegedly making people disappear if such people are very outspoken against the faults of the Chinese government. As China has such an enormous global presence and financial power, there is not much that the international community can do about this. Hong Kong, a small territory that is not even a nation, will not stand a chance if China wants to do this to Hong Kong citizens as well. Through the passage of the extradition bill, China would be able to legitimately summon anyone they consider as a threat to court and do whatever they want to him/her.

The protests have been going on since June of 2019, and since then, only the fifth out of the five goals mentioned before have been achieved. The bill is now suspended indefinitely from the Hong Kongese government. This leads to the question of why people are still protesting, and this is because the leaders of the protests have now realized that they actually have the power to impose change. Now they are calling for democracy within Hong Kong. In order to organize successful protests to further their cause, protesters have now engaged in a tactic called the “water revolution”. This means that through the use of an app called Telegram, protestors will gain information on where and when the next protest will be after the leaders decide. Then, when the date and time arrives, the protest will happen seemingly out of nowhere. Then, after a suitable amount of time, protesters will disperse and blend in with the crowd. This type of protest is named after water because protesters are supposed to be as strong as ice when facing the police, gather like dew when protests start, and scatter like mist when protests end. Therefore, the protesters lessen the chances of being arrested because police will need time to get to the protests, and when they eventually do get there, the protest might be over, leading to holes in some surveilled areas that allow more protests to happen.

## Definition of Key Terms

### Extradition

When a system of law courts transports a person accused or convicted of perpetrating a crime in under another judicial system. The law enforcement process requires cooperation between two administrations and depends on the disposition of both systems.

### Separatism

The advocacy of a nation state of ethnic, religious, racial, governmental, cultural, tribal or gender separation from the larger group. The significance of the action depends on the interpretation of the parties involved.

### Treaty of Nanjing / Nanking

The Treaty resulted with China having to pay large amounts of indemnity, surrender Hong Kong over to the British, and open up more cities to trade with the British. The Treaty of Nanjing gave power for the British to trade with any merchants they desired, as well as other legal rights.

Please use either UK or US spelling throughout the entire report and do not switch between the two. Keep the language formal and **refrain from using first person pronouns**. Aim for about 10-15 terms.

## Background Information

### The beginning

During the 17th century, the British East India Company sought to open trading relations with China due to the profitable tea trading business. As tea was greatly desired by the Upper Class, high prices motivated the East India Company to seek for more and more tea products. However, as the Ming Dynasty required trading only to be limited to the currency of silver bullion, Britain's national treasury soon ran out of silver. In face of this challenge, the British followed suit of the Portuguese illegal opium trade that smuggled opium into China through

India. In exchange for all these opium profits, these were subsequently turned into silver bullion from which Britain could trade with China. Later on, as Chinese authorities cracked down on the illicit trade, Britain decided to declare war on China.

### ***Opium Wars***

As the opium trade flourished in China, the Ming government started to become affected by it. The crack down began in 1839, where the Chinese authorities had seized more 20,000 chests of opium (around 1,400 tons of the drug). After that, the British government “destroyed a Chinese blockade of Pearl River estuary in Hong Kong”. As the year passed, subsequent attacks and confrontations were made between the Chinese and the British, until the capture of Nanjing. There, the Treaty of Nanjing was signed.

## **Major Countries and Organizations Involved**

### **China**

The Chinese Government has repeatedly condemned the violence in Hong Kong caused by the protestors. During the Communist Party's Central Committee four day meeting in 2019, the meeting summary included the intention of “build[ing] and improv[ing] a legal system and enforcement mechanism to defend national security in the special administrative regions”.

During the founding of Hong Kong, the Chinese government set a “mini-constitution” called the Basic Law that granted the autonomy of Hong Kong where the Chinese government is forbidden to interfere with the Hong Kong government's laws. In recent years, the Chinese government has been trying to use different methods to extend its influence to gain some control over the Hong Kong government before the expiration date of July 1st, 2047. Examples like the Chinese government developing the Zhuhai Bridge between Hong Kong and China in an effort to connect both sides together “physically” where the Hong Kong government sponsored the project, or the Chinese government also releasing a white paper in 2014 that affirmed Beijing's “complete jurisdiction” over Hong Kong are all examples of such.

### **United States of America (USA)**

The United States' government's involvement has currently signed two bills that indirectly and directly supports the Hong Kong protestors, inducing the Chinese foreign ministry to demand Washington to halt their interference with China's internal affairs. The first bill is called Hong Kong Human Rights and Democracy Act, which the Senate certifies the special status of Hong Kong as a separate entity from Hong Kong, while the second bill called for the prohibition of the sales of rubber bullets, stun guns and other munitions.

The motivation for the US to support Hong Kong can also be seen in the context of business. Under the 'One country, Two systems' framework, Hong Kong holds a high degree of autonomy from mainland China that greatly benefits the trading relationship between the US and Hong Kong, where according to the State Department of the US, "remains broad and effective in many areas, providing significant benefits to the U.S. economy".

## Hong Kong

In 2003, the Hong Kong government proposed the National Security (Legislative Provisions) Bill 2003. The bill proposed abolition of offence of misprision of treason, which was defined as the deliberate concealment of intelligence of a treasonable act, and was only applied to Chinese nationals. However, the government also enacting a specifically defined secession, making the Central government could punish anyone who resists the Central government's exercise of sovereignty over any part of the country.

On Feb 8th, 2018, a boyfriend from Hong Kong confessed to murdering his pregnant girlfriend (also from Hong Kong) during a vacation in Taiwan. However, the Hong Kong authorities couldn't charge the boyfriend for murder, due to the lack of extradition agreement between Hong Kong and Taiwan. This led to the Hong Kong government to propose a bill that allowed extradition between Taiwan and Hong Kong at 2019. The same bill also permitted extradition to mainland China. The extradition bill, if passed, could give more power to Hong Kong, which caused the protests to erupt.

## Timeline of Events

Date	Description of event
1613	Establishment of British East India Company to trade with Asia

1839	Start of 1 <sup>st</sup> Opium Wars
1842	End of 1 <sup>st</sup> Opium War, Ceding of Hong Kong to the British
July 1 <sup>st</sup> , 1997	Return of Hong Kong back to China
19 December, 1984	Sino-British Joint Declaration registered with the UN
11 January, 1982	Chinese Premier Deng Xiaoping proposes the concept of "One Country, Two Systems"
March 16, 2019	Hong Kong protests start
June 1st, 2047	Expiration date of Hong Kong's special status

## Relevant UN Resolutions and Treaties

- Sino - British Joint Declaration, 19 December 1984 (**Relevant UN treaty**)
- United Nations (Anti-Terrorism Measures) Ordinance

## Possible Solutions

**One potential solution could be to apply international pressure on the Hong Kong government to investigate cases of police brutality with the help of foreign journalists.** These foreign journalists would then be able to give unbiased information about any form of violence that could be happening in the protests. Such recorded information can be compiled into weekly or monthly reports and given to the international community to determine if unjust police brutality occurs in protests. If so, the international community can work with the Hong Kongese government to come up with suitable methods to combat this. This solution provides a step in the right direction in that it diagnosed the problem. The reports can only show two results, with the first result being police brutality is evident in Hong Kong. If this is the case, then at least the international community recognizes that this is a problem, and the Hong Kongese government would have support in terms of coming up with measures to stop this from occurring. This will result in the government trying to end police brutality, which is exactly what

the protesters want. In the case that the reports indicate no police brutality is in place, then the protesters' demand that calls for investigations into brutality will be fulfilled, and this would no longer be on the protesters' agenda.

**Another possible solution to mitigate the political tensions rippling across Hong Kong is to change the number of representatives with the LegCo of the representative voting committee within the Legislative Council Complex.** For every election, the pro-democracy and anti-establishment parties won the popular vote, however the representatives only represent less than half of the seats within the voting committee, which is only 40 out of 70 seats. The rest of the seats are either business representatives (30 seats) of corporations from medical industries, finance industries, and insurance industry. Due to the incentives for big business of being friendly with China, these seats are predominantly taken by pro-China political parties. The balance of the number of representatives within Hong Kong has caused political favor towards pro-China parties where the Chinese government could extend its governmental influence into Hong Kong before the special status of Hong Kong expires. Despite that, the agreement between Hong Kong and China in 1997 stated the “election of all members of the Legislative Council by universal suffrage” of Article 68. But that has never happened, yet. If there was a right for the Hong Kong citizens to be granted a chance to reach a political consensus with the Hong Kong government and Chinese government, then the protests could possibly be eased.

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