

# URGENT ACTION

人權律師、中國勞權倡議者鄒幸彤，在 2021 年 9 月 9 日被控犯下國家安全法的「煽動顛覆罪」，可能面臨 10 年有期徒刑。被指控的時候，她是香港市民支援愛國民主運動聯合會（支聯會）副主席，該組織是 1990 年以來香港紀念 1989 年天安門事件守夜活動的籌辦單位。鄒幸彤透過和平的方式行使言論自由，當局必須立即撤銷針對她的指控並立即釋放她。

**立即行動：以你的文字寫一封信，也可以抄寫下列範本**

律政司司長鄭若驊

律政司

香港中環下亞厘畢道 18 號律政中心中座地下

Fax: (852) 3902 8638

Email: [sjo@doj.gov.hk](mailto:sjo@doj.gov.hk)

親愛的鄭司長：

我來信表達對鄒幸彤的嚴正關切，她是維園六四燭光晚會的籌劃人之一，被捕後被控「煽動顛覆」。她和其他香港市民支援愛國民主運動聯合會（支聯會）的核心成員，僅因紀念 1989 年天安門鎮壓事件就遭到針對，這樣的情形令人擔憂。燭光晚會只是在和平表達意見，這是國際人權法和標準所允許的，人們不得因此被定罪。

香港政府多次表示集會自由和表達自由等，可能會因維護「國家安全」而受限，包含在回復聯合國針對《公民與政治權利國際公約》定期報告的議題清單也都如此表示。然而，起訴鄒幸彤和其他和平行使這些權利的社運人士，違反國際人權法和國際標準。國際標準明確規定政府不得以國家安全為由限制這些自由，除非行使這些自由構成武力使用或構成可信的武力威脅，足以威脅國家存亡或領土完整性。

國家安全警察使用香港支聯會的燭光晚會和其他和平活動作為危害國家安全的證據，我感到非常擔憂。替 1989 年天安門鎮壓的受害者伸張正義並緬懷他們，這樣的行為是在和平行使表達自由，不能以國家安全為藉口加以限制。

因此，我敦促您：

- 立即撤銷針對鄒幸彤的指控並釋放她，她不該僅因和平行使人權就遭受指控；
- 停止對行使表達自由或其他人權的人提出「國家安全」相關指控；
- 檢視並修改所有法律和規定，終止所有侵犯人權的相關措施，尤其是與表達自由、和平集會和結社相關的法律。

此致

## ADDITIONAL INFORMATION 更多資訊

30 年來，香港支聯會每年規劃全球最大的天安門鎮壓事件紀念活動。天安門事件發生於 1989 年 6 月 3 至 4 日晚間，學生和勞工在北京和平呼籲政治、經濟改革以及終結貪腐幾個月後，軍隊朝群眾開火，數百人——甚至可能有數千人——因此喪命。在中國全境也有數千人因參與示威而被捕入獄。自 1990 年起，每年 6 月 4 日，數萬人、有時多達數十萬人，參加香港維多利亞公園的燭光晚會活動，悼念那天被殺害的人。他們呼籲中國當局公開事發真相，並對造成的傷亡負責。過去 2 年，守夜活動因 Covid-19 疫情而被禁止舉辦。在 2020 年香港禁止舉辦燭光晚會以前，這是中國唯一一場大規模的天安門事件紀念活動。

2021 年 9 月 8 日，鄒幸彤和另外 3 位支聯會前領導人梁錦威、鄧岳君和陳多偉被捕，因為他們拒絕配合當局的要求，不願提交支聯會成員、員工和夥伴組織相關資訊。另一位前領導人徐漢光則在 2 天後被捕。

2021 年 9 月 9 日，支聯會、鄒幸彤及著名資深政治人物何俊仁和李卓人被控「煽動顛覆罪」。在被指控的時候，鄒幸彤是支聯會副主席。核心成員遭到起訴加上政府施加的壓力愈來愈大，香港支聯會隨後在 2021 年 9 月 25 日解散。

2021 年 9 月 29 日，國家安全處通知香港支聯會，依照國家安全法第 43 條施行細則，凍結支聯會銀行帳戶和一筆房地產等資產。2021 年 10 月 16 日，因為支聯會的工作，包含規劃和平集會，損害中央政府「維護國家安全和維持公共安全與秩序的能力」，特首命令將香港支聯會從註冊公司中除名。

[《中華人民共和國香港特別行政區維護國家安全法》](#)（國安法）由全國人民代表大會常務委員會一致通過，且未經正式、有意義的公開或當地諮詢，就在 2020 年 6 月 30 日於香港實施。國安法的實施立即造成廣泛的衝擊。這部法律對「國家安全」廣泛的定義與中國中央當局的定義一致，缺乏明確性和法律可預測性，一直被用來當成限制表達自由、和平集會和結社等人權、打壓異議和政治反對派的藉口。透過指控批評或被認為批評時任政府和政治制度的香港政黨、學者、其他組織或個人威脅國家安全，當局試圖合理化侵犯人權的審查、騷擾、逮捕和起訴行為。《國家安全法》的定義過度廣泛，讓當局得以自由噤聲異議和打壓公民社會組織。香港政府將公民社會組織的工作定罪的案例愈來愈多，指控建立國際合作關係或進行和平國際行動的當地或海外社運人士和團體「勾結外國勢力」。

鄒幸彤長期以來致力於捍衛人權。在成為人權律師之前，她是中國勞權倡議者兼人權捍衛者。身為香港大律師，她一直替《國家安全法》所針對的政治社運人士辯護。2021 年 12 月 13 日，鄒幸彤因為在 2020 年 6 月 4 日參加紀念天安門鎮壓事件的和平燭光晚會後，隨後被以參加未經許可的集會而被判有期徒刑 12 個月。2021 年 6 月 4 日，她在社群媒體發佈一則貼文，要求人們紀念天安門鎮壓事件，在 2022 年 1 月 4 日因「煽動他人參加未經許可的集會」再次被定罪，判處有期徒刑 15 個月。

用中文、英文或熟悉的語言寫下對香港政府說的話；或是下載訴求範本信照著寫。  
請在 2022 年 6 月 29 日前寄到上述地址。

# URGENT ACTION

## IMPRISONED JUNE 4 VIGIL ORGANIZER FACES FURTHER CHARGES

Human rights lawyer and China's labour rights advocate Chow Hang-tung was charged for "inciting subversion" under the new National Security Law on 9 September 2021 and faces potential 10 years' imprisonment. At the time of being charged, she was the vice-chair of the Hong Kong Alliance in Support of Patriotic Democratic Movements of China (the Alliance), the organizer of the annual Hong Kong vigil commemorating the 1989 Tiananmen crackdown since 1990. Chow Hang-tung was exercising her fundamental human right of freedom of expression through peaceful means, and charges against her must be dropped and they must be released immediately.

### TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

*Secretary for Justice Teresa Cheng Yeuk-wah*

*Department of Justice*

*G/F, Main Wing, Justice Place*

*18 Lower Albert Road, Central, Hong Kong*

*Fax: (852) 3902 8638*

*Email: [sjo@doj.gov.hk](mailto:sjo@doj.gov.hk)*

*Dear Secretary Cheng:*

*I am writing to express my grave concern for **Chow Hang-tung (鄒幸彤)**, one of the organizers of the annual Tiananmen vigil who has been arrested and charged for "inciting subversion". It is alarming to learn that she and other core members of the Hong Kong Alliance in Support of Patriotic Democratic Movements of China (the Alliance) was targeted simply for commemorating the 1989 Tiananmen crackdown. This act is a mere peaceful expression of opinion, which is permissible under international human rights law and standards, and must not be criminalized.*

*The Hong Kong government claimed on many occasions, including to the UN in the [reply to the list of issues](#) in relation to the periodic report of the implementation of the ICCPR in Hong Kong, that freedoms including freedom of assembly and expression may be restricted for the protection of 'national security'. However, the prosecution of Chow and other activists who peacefully exercised these rights violates international human rights laws and standards. Such [standards](#) specifically state that governments cannot restrict these freedoms on the grounds of national security [unless their exercise constitutes the use or credible threat of force](#) that threatens a state's existence or territorial integrity.*

*I find it distressing that the national security police used the vigil and other peaceful activism of the Hong Kong Alliance as evidence of endangering national security. Demanding justice and remembering victims of the 1989 Tiananmen crackdown are peaceful expressions that cannot be restricted under the pretext of national security.*

*I therefore call on you to:*

- **Drop all charges against and release Chow Hang-tung immediately, as she was charged solely for peacefully exercising her rights;***
- **End the practice of bringing 'national security' charges against those who have simply exercised their right to freedom of expression or other human rights;***
- **Review and amend all laws and regulations, and end all related measures, that violate the exercise of human rights, in particular to freedom of expression, peaceful assembly and association.***

*Yours sincerely,*

## ADDITIONAL INFORMATION

For three decades, the Hong Kong Alliance organized the world's biggest commemoration of the Tiananmen crackdown, which took place on the evening of 3–4 June 1989, when hundreds – possibly thousands – of people were killed in Beijing when troops opened fire on students and workers who had for months been peacefully calling for political and economic reforms as well as an end to corruption. Thousands across China were also arrested and imprisoned for participating in the demonstrations. Every year on 4 June since 1990, tens and sometimes hundreds of thousands of people joined a candlelight vigil in Hong Kong's Victoria Park to remember those killed. They called on the Chinese authorities to reveal the truth about what happened and take accountability for the fatalities. For the past two years, the vigil was banned on Covid-19 grounds. Before the Hong Kong candlelight vigil was banned in 2020, it was the only large-scale commemoration of the Tiananmen crackdown that took place in the country.

On 8 September 2021, Chow and three former leaders of the Alliance, Simon Leung Kam-wai, Tang Ngok-kwan and Chan Dor-wai, were arrested after they refused to comply with the authorities' request to submit information about the Alliance's members, staff, and partner organizations. Another former leader Tsui Hon-kwong was arrested two days after.

On 9 September 2021, the Alliance, along with Chow Hang-tung and prominent veteran politicians Albert Ho and Lee Cheuk-yan, were charged with "inciting subversion". At the time of being charged, Chow was the vicechair of the Alliance.

Following the initiation of prosecutions against core members and increasing pressure from the government, the Hong Kong Alliance disbanded on 25 September 2021.

On 29 September 2021, the National Security Department informed the Hong Kong Alliance that its assets, including bank accounts and a property, were frozen under the Implementing Rules of Article 43 of national security law. On 26 October 2021, the Chief Executive ordered the Hong Kong Alliance be removed from Companies Register because the Alliance's work, including organizing peaceful assemblies, undermines the Central governments' "ability to safeguard national security and to maintain public safety and order".

The [Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region](#) (NSL) was unanimously passed by China's National People's Congress Standing Committee and enacted in Hong Kong on 30 June 2020 without any formal, meaningful public or other local consultation. The impact of the NSL has been immediate and sweeping. The law's expansive definition of "national security", which follows that of the Chinese central authorities, lacks clarity and legal predictability and has been used arbitrarily as a pretext to restrict the human rights to freedom of expression, peaceful assembly and association, among others, and to repress dissent and political opposition. By accusing political parties, academics and other organizations and individuals actually or perceived to be critical of the present government and political system in Hong Kong of threatening national security, the authorities have sought to justify censorship, harassment, arrests and prosecutions that violate human rights. The overly broad definitions of the National Security Law have given the authorities free rein to silent dissent and crack down on civil society organizations. The Hong Kong government increasingly criminalizes the work of civil society organizations, accusing local and overseas activists and groups who form international partnerships or do peaceful international activism of "colluding with foreign forces".

Chow Hang-tung is a long-term human rights defender. Prior to becoming a human rights lawyer, she was an advocate for labour rights and human rights defenders in China. As a barrister in Hong Kong, she has defended political activists targeted by the National Security Law. On 13 December 2021, Chow was sentenced to 12 months' imprisonment for taking part in an unauthorized assembly after joining a peaceful candlelight vigil commemorating the Tiananmen crackdown on 4 June 2020. On 4 January 2022, she received a 15-month prison sentence in a second conviction on the charge of "inciting others to take part in an unauthorised assembly" after she published a social media post asking people to commemorate the Tiananmen crackdown on 4 June 2021.

**PREFERRED LANGUAGE TO ADDRESS TARGET:** English and Chinese. You can also write in your own language.

**PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 29 June 2022**

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

**NAME AND PRONOUN:** CHOW Hang-tung (she/her)

**LINK TO PREVIOUS UA:** <https://www.amnesty.org/en/documents/ASA17/4500/2021/en/>