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(Contact: Dasol Lyu, Director of International Relations, MINBYUN – Lawyers for a Democratic Society, 02-522-7284)

Title [Statement] Denounce the Arrest of Pro-Democracy Figures by Hong Kong Police. Hong Kong Government Should Immediately Cease the Suppression on Pro-Democracy Activists

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Statement

Denounce the Arrest of Pro-Democracy Figures by Hong Kong Police Hong Kong Government Should Immediately Cease the Suppression on Pro-Democracy Activists

1. According to media reports, including Hong Kong Free Press (HKFP), on April 18, 2020, Hong Kong police have arrested more than 14 pro-democracy activists including Martin Lee(李柱铭), who founded the Hong Kong Democratic Party, Margaret Ng(吳靄儀), who founded the Civic Party, Li Cheuk-yan(李卓人), secretary general of the Hong Kong Confederation of Trade Union, Leung Kwok-hung(梁国雄), former president of the League of Social Democrats, Yeung Sum(杨森), former president of Hong Kong Democratic Party and Jimmy Lai(黎智英), founder of Apple Daily, for organizing and joining unlawful protests and rallies on August 18, October 1, and 20 last year. Hong Kong police have earlier arrested Jimmy Lai(黎智英), Yeung Sum(杨森) and Li Cheuk-yan(李卓人) for similar charges related to the protest on August 31, 2019.
2. The International Human Rights Law emphasizes that citizens' freedom of assembly, association and freedom of expression are the rights that should be protected under any circumstances. The International Covenant on Civil and Political Rights (ICCPR) guarantees everyone's freedom of expression and freedom of assembly and association and stipulates that the exercise of those rights cannot be restricted unless

strictly necessary in a democratic society in the interests of national security and public safety, etc. In the Guidelines on Freedom of Peaceful Assembly, the European Commission for Democracy through Law (the Venice Commission) states that, as a principle, “[T]hose wishing to assemble should not be required to obtain permission to do so.” Furthermore, one should not be subject to criminal or administrative sanctions for failure to notify authorities of an assembly since simply not notifying it does not render an assembly unlawful.

3. The UN Special Rapporteur on the Rights of Freedom of Peaceful Assembly and of Association has repeatedly emphasized in its UN Human Rights Council reports that the criminal responsibility on illegal activities during assemblies and rallies should be judged individually. Individual rally participants or organizers who have not committed any violent activity on their own shall not be prosecuted for illegal acts, such as violence by others. In particular, the rally organizers should not be held responsible for the unlawful behaviour of others in which the organizers did not directly participate in. Hong Kong police's arrest of a large number of pro-democracy activists is an apparent violation of human rights against the international human rights standards stated above.
4. We, the South Korean Human Rights and Civil Society Organizations, strongly urge the Hong Kong police to immediately cease the exercise of the unjust governmental authority such as arbitrary arrests. In a democratic society, it is a basic right of citizens to participate in rallies and express their opinions. This arrest can only be understood as an attempt to criminalize and oppress the Hong Kong citizens' peaceful assembly and expression of their democratic will by symbolically making pro-democracy activists illegal. The Hong Kong government should actively ensure rallies to be held freely instead of arresting people who exercised their right to freedom of assembly. That is the duty of a government pursuing democracy. What is needed now is to establish an independent investigative commission to investigate the continued violence of Hong Kong police throughout the protests and punish the perpetrators, not an investigation on the pro-democracy activists.
5. We, the South Korean Human Rights and Civil Society Organizations, once again

emphasize that freedom of assembly and association and freedom of expression are basic human rights that must be guaranteed. We also express our deep concern that the arrest of pro-democracy activists by Hong Kong police could aggravate the social division and confusion at a time when governments and citizens must cooperate to fight the global disaster situation of COVID - 19. As the saying goes, "Injustice anywhere is a threat to justice everywhere," the injustice occurring in Hong Kong is, after all, a threat to justice that should be guarded by democratic societies around the world. Therefore, we, the South Korean Human Rights and Civil Society Organizations, will continue to stand in solidarity with the Hong Kong citizens' peaceful resistance toward democracy till the end. We strongly urge the Hong Kong government to immediately cease its unjust and arbitrary arrests of pro-democracy activists. End.

April 21, 2020

The statement is endorsed by **52 Organizations** :

A.C.A.B (Asian Companions Against Brutality)
Activists group for human rights 'BARAM'
Ajou University student committee of Justice party
Art liberation front
Asia Democracy Network
BetterFuture
Catholic Human Rights Committee
Center for Cultural Society
Citizen's Action for Kyungui-Line Commons
Dasan Human Rights Center
Dialogue China
Gwangju Hong Kong solidarity committee
Gwangju-si Committee, Justice Party
Human Rights Movement Space 'Hwal'
iGong, Alternative Visual Culture Factory
Incorporated Organization Silcheon Bulgyo
Insoonism Comix
Jeju Peace Human Rights Institute WHAT
Justice party youth group 'Momentum'
Korea National Council of Sovereign
Korean Citizen Supporters for Democracy in HK
Korean House for International Solidarity
Korean Insurance Planner's Union
Korean Union of Public sector Research and Professional workers (KUPRP)
Kwanghwamoon TV
Labor Urban Solidarity
Liberation film
Migrants center FRIEND
MINBYUN - Lawyers for a Democratic Society

Opennet Korea
People's Solidarity for Participatory Democracy (PSPD)
Platform C
Preparatory Committee of the Youth Committee of the Justice Party's Gyeonggi Provincial Party
Rainbow Action Against Sexual-Minority Discrimination
Research Institute Culturecity
SARANGBANG Group for Human Rights
Seoul National Univ. Center for Urban Society
SNU Justice Party Club on the Left
Society of International Solidarity in Justice party
Solidarity for peace & humanrights
Special Committee on Anti-discrimination law of the Justice Party (South Korea)
The Labor Party in Korea 'Fine-tune'
The Transgender Liberation Front
Truth-finding Commission on Yongsan Disaster
Unioncraft.kr
Voice of the Artists
Western Seoul Center for Nonstandard Workers
Women Making Peace
Youth Committee of the Suwon City Committee of the Justice Party