

Forum: General Assembly 4

Issue: The Question of Hong Kong

Student Officer: Salma Maayah

Position: Deputy Chair

Introduction

On June 12, 2019, hundreds took to the streets in Hong Kong outside the government headquarters. For months, these anti-government [protests](#) went on with zero indication of dying down. It wasn't long till they took a turn towards violence. The police force began firing live bullets as protestors threw petrol bombs in defense. Soon this human rights battle became a topic of international interest, employing supporters from France, the US, Canada, the UK, and Australia - amongst many others.

July 1, 1997, marked the end of the one and a half century long colonization of Hong Kong by Britain. Afterwards, [sovereignty](#) of the territory was transferred back to its original rule under China. China agreed to allow the region considerable [political liberty](#) under a hybrid regime - "one country, two systems" - granting citizens with more rights they had previously known. However, these new terms of authority have defined the coming decades as those filled with political issues and upheaval. This comes as a response to the cracking down of freedom in the country.

These protests commenced as an act of civil disagreement against plans for a new [extradition](#) bill introduced in February 2019, allowing Hong Kong felons to be [prosecuted](#) in mainland China. Objection arose under the belief that this law would expose criminals to unfair traits and violent treatment. It was also argued that this new bill would enable China to have a greater influence over Hong Kong.

"Five demands, not one less!" is the motto that protesters have adopted. The first demand being for the protests not to be characterized as a 'riot'. Second, is [amnesty](#) for arrested protesters. An independent inquiry into alleged police brutality and an implementation of complete [universal suffrage](#), are two other demands. The last demand, also the only one that has been met, entails the withdrawal of the bill. On June 15, 2019, Chief Executive Carrie Lam indefinitely suspended. Driven by the fear of its revival, protests continued bringing about the complete withdrawal of the bill in September 2019.

Both sides of the battle - the pro-democracy and the pro-government - agree on the fact that "rule of law" in Hong Kong was compromised during the protests. This refers to a principle in which every person, institution, and entity is accountable to laws. Under this system, all laws must be publicly known, equally enforced, independently adjudicated, and concerned with human rights. Protesters were criticized by the government, police, and government supporters for breaking the law. They were also condemned

for their usage of violence in attempts to incentivize the government to comply with their demands. On the other side, the protesters and their sympathizers believed the inadequate police supervision, selective enforcement of laws, bias in prosecution, police misconduct, and the government's inability to recognize such wrongdoings all belittled the rule of law. This law put in place is one that prevents justice from being achieved.

Definition of Key Terms

Protests

Public expression of opposition or disagreement towards an action or idea, typically relating to political matters, displayed by citizens

Extradition

The formal process in which a state surrenders an individual to another state for prosecution for crimes committed in the requesting country's jurisdiction

Prosecution

The legal party responsible for presenting a criminal case in a trial against an individual accused of violating the law

Sovereignty

A state's supreme authority and power

Political Liberty

An individual's right to participate in the government through voting and by holding public office

Hybrid Regime

A mixed type of political authority that usually results from transferring to a democratic order of rule from an authoritarian one incompletely

Amnesty

Official pardon that is granted to those sentenced with having committed a political or legal offenses

Universal Suffrage

Provides all adult citizens with the right to vote regardless of wealth, gender, income, social status, race, ethnicity, religion, orientation, or any other biases

National People's Congress Standing Committee (NPCSC)

China's National People's Congress (NPC) permanent body. These groups both exercise the state's legislative power, supervise member elections, and interpret laws and constitutions. The NPC is the head of government that oversees civil service.

Autonomy

The independence of a country or region and their right to self-govern

Secession

A group or individual's act of withdrawing from an organization or a body, typically a political state, into solitude

Subversion

The undermining or opposition of the power of established systems or institutions in authority including attempts to overthrow the government systematically from within

Terrorism

Pursuing political goals through the employment of unwarranted violence and intimidation, usually aimed at civilians

Gross Domestic Product (GDP)

Pursuing political goals through the employment of unwarranted violence and intimidation, usually aimed at civilians

Treaty

An agreement between states that has been settled and ratified formally

Authoritarian

A regime in which all power is concentrated in one authority figure or a dictator

Legalism

Strict adherence to law

Individualism

The concept of individual civil liberties and freedom over governmental restriction

Leaking

The release of private information to the general public, usually through the internet

Injunction

An order, issued by court, that requires a person to do or cease doing something

Legitimacy

Whether a government's constituents believe it has the right to continue using power in the way they currently are. Illegitimacy can lead to the collapse and deadlock of the government.

Sanctions

Threatened penalties placed on people to force them in obeying a law offering penalties in the case that they do not obey

Communism

Political ideology or system that promotes a classless society where, rather than being owned by individuals, all property and wealth are owned communally.

Falun Gong

Religious movement established in China in the early 1990s. Followers believe that practitioners will spiritually ascend through moral righteousness.

Patriotic

Expressing immense devotion and support towards one's nation/country

Court of First Instance (CFI)

Where trials are initially held. Posses power over both appellate and original jurisdiction revolving around criminal as well as civil matters.

Unconstitutional

Something that goes against the fundamental political principles or established precedents of a state

Key Issues

Failure of Governance

Protests in Hong Kong are almost always portrayed, particularly in international media, as a battle between the territory's citizens and Beijing. However, not a single one of the protester's five demands ask for surrender or compromise from the central government. Rather, change is sought from local institutions of the government and justice system. Decades of governance failure is what initiated these protests. The free market and economic philosophy that favors business has fostered social issues that the greater majority of the population face. Long working hours, tiny homes, and financial woes await the working-class. Key issues of housing unaffordability, unsuitable educational systems, and the necessity for political reform define the city. Any development on said issues has been capsized by political polarization, dysfunctional governance, and a weak government confined to vested interests. Pro-democracy is fueled by the belief that it will bring on a better, stronger government that is less captive. Much like the methods of Hong Kong, traditional police-state systems are susceptible to these constant forms of protests. The territory's leaderless nature makes it hard to constrain battles as they arrest leaders and organizers. Such arrests, which have been extremely prevalent in Hong Kong, fragment the movement further making it harder for the activists to find partners within the government. Hong Kong's status as a hybrid regime is fully at blame for the lack of the conflict's management or the constructive engagement with protesters. The subordination to Beijing has further exacerbated said issue, resulting in a divide of interests between the central and local governments.

National Security Law

On June 30, 2020, China's [National People's Congress Standing Committee \(NPCSC\)](#) approved of the new draconian National Security Law in Hong Kong. This law makes it easier for the government to punish protesters, robbing the city of its [autonomy](#). After many unsuccessful attempts to pass the unpopular law, China intervened. This legal framework handles actions that pose a threat to authority. The contents of this law were kept a secret until after it was passed. Some of the acts it criminalizes include [secession](#), [subversion](#), [terrorism](#), and conspiring with foreign or external forces.

Political Conflicts

The National Security Law triggered responses from governments around the world, most of which retracted any previously made agreements or [treaties](#). Countries suspended their extradition treaties with Hong Kong in light of the law's claim to apply globally. Such countries include Canada, Australia, the UK, and New Zealand. President of the United States, Donald Trump, eradicated Hong Kong's special status under U.S. law which granted special privileges to the nation, different to those in place for mainland China. The retraction put a stop to defense exports and restricted the territory's access to high technology products. Previously when dealing with the US, Hong Kong enjoyed lower trade tariffs and separate customs. Exports to the US dominated 7.7% of the total [GDP](#) generated from trade. Thus, the new deal between the two nations will reek economic downfall to Hong Kong's ports and logistic businesses. Additionally, in 2021, the Hong Kong government released that the unemployment rate was at 6.6% - the highest reached in 16 years.

Social Issues

Hong Kong's political repression and [authoritarian legalism](#) has diminished any aspect of [individualism](#) or freedom. Citizens are unable to shed light to these issues over the internet or social media in fear of the government. Many reports have been released discussing Hong Kong's censorship of anti-government or pro-democratic online posts, as well as arrests of citizens supporting such beliefs. The inability to freely express opposing beliefs and concerns has driven citizens to resort to protests. Millions join on the street daily to fight for their cause, reaping even more social consequences.

Police Misconduct

Protesting citizens has placed Hong Kong under the negative limelight, conveying a negative storyline to other governments. In fear of losing [legitimacy](#), the government has deployed use of force by police. Additionally, in the early stages of the protests, the government's prolonged ignorance and absence of political solutions launched the police into the front line of the scenes. Tactless and extremist policing of citizens was substituted for a real solution to this political crisis. However, their position of power has been abused on numerous accounts. Hundreds of protesters and prominent leaders have been wrongfully

arrested on the basis of opposition to the government. International safety guidelines and internal protocols have been countlessly violated when it comes to the use of weapons. Several protesters have endured ruptures to their eyes due to the police's unsafe aiming of bean bag rounds and rubber bullets. Expired tear gas has been fired indoors which may emit toxic gases. Around 10,000 volleys of said gas have been fired, only between June and November 2019. Protesters have been unprovoking shot, assaulted, and attacked in several public places. Nowhere is safe in Hong Kong anymore as the citizens fear their "protectors" the most.

Economic Issues

Statistics show that, following the onset of protests, Hong Kong's economy has shrunk in the second and third quarters of 2019, slipping it into recession. The overall spending of consumers has declined as well as retail sales. Some companies - including restaurants, banks, and shops - were forced to close due to disruption caused by the protests on the streets. Property owners have also been affected by these protests. In fear of the instability to come, some investors have abandoned their purchases of land. Moreover, property demand has decreased. In August 2019, the number of tourists visiting Hong Kong was down 40 percent from the previous year. Between September to November 2019, unemployment rates increased from 0.1 percent to 3.2 percent. Protests held in Hong Kong's airport required the cancellation of numerous flights creating a loss of \$76 million US. Subsequently, flight bookings decreased and airlines reduced services.

Confrontations Via the Internet

Protesters of the 2019 and 2020 demonstrations in Hong Kong took to a variety of social media platforms. These have several purposes such as organizing and mobilizing protesters, censorship of information, international recognition and solidarity, and as a platform to express political beliefs. Social media usage has increased due to misinformation, disinformation, anonymity, and public encouragement given to activists by those around the world.

Doxing and Cyberbullying

Both supporters and opponents of the protests employed tactics of doxing and cyberbullying. This was aimed towards police officers and their families by **leaking** their personal information online. 1,000 officers were estimated to have their personal information unwillingly released online, by July 2019. Death threats and intimidation were sent towards affected officers, as well as their families and friends. Student leaders also received malicious phone calls threatening them with sexual harassment and even death. Then, on October 25, 2019, a court **injunction** was obtained by the Hong Kong police force which prohibited anyone from sharing police officers' personal information over the internet. After the implementation of this new court order, the Central and Western District Council's chairwoman was

arrested over a post on Facebook. The content she shared contained personal information of a policeman who blinded an Indonesian journalist. Many people disagreed with the terms of this arrest as the law invoked was one rarely used and established during the colonial era.

Propaganda and Spread of Misinformation

Unverified rumors and misinformation are constantly being spread by both sides of the protests. This has led to the polarization of the public of Hong Kong. For example, pro-democracy protesters took to laying white flowers outside the police station to mourn a “deceased”. This was a response towards rumors circulating for weeks about people that were allegedly beaten to death by the police during the Prince Edward station incident. Such accusations were later denied by the police, fire service, hospital authorities, and government.

Major Parties Involved and Their Views

Hong Kong Chief Executive

Carrie Lam, Chief Executive of Hong Kong, received lots of criticism for her response towards the protests. Many believed her to be arrogant and obstinate. She was hesitant in engaging with protesters in direct dialogue and was frequently absent from press conferences. Lam also claimed that meeting with protesters would have “no purpose” and refused to do so at all. As per the protester’s main request, Carrie Lam suspended the extradition bill that was planned to come into action. Nevertheless, she continued to push for another reading of the bill claiming it was her duty to make amendments to the law. She characterized the protests as a “riot”, which the activists demanded to be fully retracted by the government. On September 26, 2019, Carrie Lam held her first dialogue session. The Chief Executive later claimed that she believed protesters had strayed away from their original goals and now are aiming to challenge the sovereignty of China and damage the country’s system. She also announced that Hong Kong was being dragged into a “path of no return” by the radical protester which had “no stake in society”.

Chinese Government

The government of mainland China has continuously expressed their disagreement with the protests and have attempted to take measures to stop them: not all being successful. President Xi Jinping of China has warned against separatism of the two states. He said that any attempt to divide Hong Kong from China would result in “bodies smashed and bones ground to powder”. As an effort to claim that the people of Hong Kong are under manipulation of foreign forces, the Chinese president has been placing **sanctions** on congress and leaders of human rights organizations based in the US. This indicates that

Jinping views these protests as a radical threat. Until April 17, 2019, the protests occurring in Hong Kong were largely ignored by mainstream Chinese media outlets.

Pro-Democracy Activists

The pro-democracy activists in Hong Kong disagree with the government's violence and arrests towards organizers, lawmakers, and election candidates that share these democratic beliefs. Occupy Central is a huge civil disobedience movement composed of pro-democracy activists. This group is at the forefront of the mass street protests. Its main organizers include Benny Tai (law professor), Chan Kin-man (sociology professor), and Chu Yiu-ming (church minister). In 2017, after Beijing ruled against fully open elections, the group stated it would begin a mass, non-violent campaign. The three leaders took full legal responsibility and turned themselves into the police. An act of relinquish that was a "silent denunciation of the heartless government".

Hong Kong Students

Student activists are the main drivers of this social reform and remain at the heart of the protests. At the core of these battles reclaiming the city from authoritarianism is high school and university students fighting hard to protect their home. A week-long boycott of classes to join protests was staged by the Hong Kong Federation of Students. This movement commenced the involvement of students. The main government compound was stormed by an influx of student demonstrators looking for the resignation of the chief executive. University campuses soon became besieged by police forces armed with weapons including bows, arrows, and meat cleavers. Local elections on November 24 - in which pro-democracy candidates won a landslide - were held in a comparatively calm manner due to this standoff.

Pro-Beijing Domestic Groups

Several anti-Occupy Central as well as Pro-Beijing groups have been organized in disagreement against the campaigns run by the protesters. People joining these groups are those who support the government and are in favor of the plans for the extradition bill. They condemn the protester's opposing views and use of violence, referring to the large student population amongst pro-democracy groups as "rubbish youths". Pro-Beijing followers have held several counter-demonstrations to portray their support towards the Hong Kong Police Form. Although these groups appreciate the government's ideologies, they have criticized their lack of efforts in putting a stop to the oppositional protests and the violence. A video was released by the group that threatened the Hong Kong citizens with chaos and death if the Occupy Central protests continued on. Groups began showing up at mass protests, subsequently, violent arguments emerged between the two groups.

Non-Governmental Organizations (NGOs)

Hong Kong's contentious National Security Law has posed a threat to non-governmental organizations and civil societies that previously advocated for human rights within the nation. Amnesty International (a NGO that evaluates the human rights situation in countries around the world) held a strong presence in Hong Kong having been established for 40 years. In light of the new law, the NGO has shut down its offices. Other NGOs - like The New School for Democracy - have relocated offices in fear of the safety of staff members due to their involvement in Hong Kong's democracy fight. The paramount censorship brought about by the national security law rendered it virtually impossible for human rights NGOs to operate in Hong Kong freely without fear of serious governmental repercussions.

The United Nations

The Sino-British Joint Declaration of 1984, was recognized by the United Nations as a legally binding treaty which guaranteed a high degree of autonomy and freedoms. The actions taken by the People's Republic of China (PRC) warrant urgent global concern as it compromises international peace and security that was once administered by the Basic Law. In May of 2020, the United States called for a virtual meeting with The United Nations Security Council to discuss concerns surrounding PRC's proposed National Security Law and the threats it poses to democratic institutions and civil liberties. However, the PRC refused to allow this meeting to proceed - an unsurprising defense response. This further reiterates the fear that the Communist Party of China possesses over transparency and international accountability.

The government of Hong Kong was commanded to conduct an investigation into the misuse of police force targeted at protesters by Michelle Bachelet: the United Nations' High Commissioner for Human Rights. In addition, Hong Kong's officials were urged by UN human rights experts to drop the criminal prosecution of 15 pro-democracy activists who were arrested after participating in protests. In the midst of the tumultuous 2019 Hong Kong protests, United Nations human rights chiefs called for independent probes into the violence.

International Reactions

Countries all around the world responded to the political unrest that Hong Kong faces with some governments taking action in their respective nations. Solidarity was shown through rallies conducted in Australia, Brazil, Canada, Chile, France, Germany, India, Italy, Japan, Lithuania, South Africa, South Korea, Taiwan, the United Kingdom, the United States, and Vietnam. These demonstrations were mainly organized by students from Hong Kong studying abroad. The protests in Catalan during 2019, were claimed to have derived inspiration from those happening in Hong Kong. On November 27, 2019, a Hong Kong Human Rights and Democracy Act was passed by the House of Representatives and Senate in the United States. This federal law required the government to impose sanctions against China and Hong

Kong that are considered to be responsible for the abuse of human rights in the country. An accompanying bill restricted exports from the US to the Hong Kong police forces of crowd control devices. In October 2019, the Hong Kong protesters were nominated for the Nobel Peace Prize by a Norwegian lawmaker. The Macau government announced on March 19, 2021, that any lawmaker that is part of the Legislative Assembly and is in support of the pro-democracy protests in Hong Kong will be disqualified from their positions. This new regulation was filed under the Macau Basic Law.

The United Kingdom

The United Kingdom’s officials viewed the acts of the Chinese government as violations to the legally binding treaty agreed upon and signed by China and Britain in 1984. The Foreign Secretary of the United Kingdom urged China to uphold the promises it made while creating the joint declaration. Moreover, the sale of crowd control equipment from the UK to the Hong Kong police force came to a halt. On June 3, 2020, after China announced plans for a national security law, Boris Johnson declared that the continuation of such plans would cause him to open a path for Hong Kong residents to obtain British citizenship if they are eligible for a British National passport (BNO). On June 30, 2020, China passed the law and the UK guaranteed that - with a five year limited leave to remain - Hong Kong residents are able to come to the territory.

Development of Issue/Timeline

Date	Event	Outcome
1984	Joint Declaration is signed by Britain and China on the terms that Hong Kong will return to Chinese in 1997.	Established the “one country, two systems” principle. Under this, Hong Kong will be part of the Communist governed country while still keeping their capitalist economic and partially democratic systems: for 50 years preceding the takeover.
1989	Massacres in Beijing’s Tiananmen Square orchestrated by the pro-democracy demonstrators	Sparked the introduction of further protection and prevention from democratization in Hong Kong.

<p>October, 1997</p>	<p>The last British governor, Chris Patten, announces proposals for Hong Kong's democratic reforms in hopes to broaden the voting base of elections .</p>	<p>The Chinese government views this as a betrayal of agreement and is outraged by the lack of consultation. Threatens to tear up contracts and revoke any social reform after taking control.</p>
<p>June 1, 1997</p>	<p>Chinese authorities take control of Hong Kong after 150 years of British occupation.</p>	<p>Albeit having no political experience, a Shanghai-born former shipping tycoon, Tung Chee-hwa, is selected by Beijing to rule the territory.</p>
<p>June, 2002</p>	<p>16 members of the Falun Gong spiritual movement were on trial after being arrested during a protest outside Beijing's liaison office.</p>	<p>The 16 are found guilty of public obstruction considering the spiritual movement was banned in mainland China in 1999. However, it remains legal in Hong Kong. This was seen as a test to the lengths of Beijing's guarantee to respect freedom after the handover.</p>
<p>September, 2002</p>	<p>Proposals for an anti-subversion law (Article 23) is released by the government.</p>	<p>Stirs lots of controversies amongst the citizens. This led to the oppression of anti-government expression in later years.</p>
<p>July, 2003</p>	<p>In protest against Article 23, 500,000 people march the streets.</p>	<p>Two members of Hong Kong's government resign and the bill is shelved indefinitely.</p>
<p>April, 2004</p>	<p>China orders that any changes to Hong Kong's election laws must be approved first by the mainland.</p>	<p>This provides Beijing with supreme power, allowing them to veto any moves the territory tries to make towards democracy. This allowed</p>

		them to rule against elections for the next chief executive which hundreds of thousands protested in demonstrations beginning in July. As a result, Britain accuses China of disobeying what was agreed before the handover.
July, 2007	Marking the 10th anniversary of the handover, the new government is sworn in under chief executive Donald Tsang.	Plans for full democracy are unveiled.
December, 2007	Beijing announces that by 2017, people of Hong Kong will be allowed to elect their own leader and their legislators, by 2020.	This is acknowledged as a “timetable for obtaining universal suffrage”. The protracted timescale disappoints pro-democracy campaigners.
September, 2008	Pro-democracy campaign wins over a third of legislative election seats.	Provides them with a key veto over future bills.
July, 2014	A pro-democracy rally in Hong Kong attracts tens of thousands of protestors. Could be the largest rally in Hong Kong in a decade.	Leads to an onset of more rallies and protests in years to come.
August, 2014	Fully democratic elections for Hong Kong leader in 2017 are ruled out by the Chinese government. Only Beijing- approved candidates will be allowed to run.	The city center is occupied for weeks from September - November by over 100,000 pro-democracy demonstrators protesting this new decision limiting their choices.
September, 2016	In the highest turnout since the 1997 handover, a new generation of pro-	In the coming months, Beijing continuously intervenes and removes legislators from office.

	independence activists won seats in Legislative Council.	
April 3, 2019	Carrie Lam, leader of Hong Kong's government, introduces new amendments to extradition laws.	Would allow suspects to conduct their criminal trials in mainland China.
April 28, 2019	The streets are flooded with tens of thousands marching with demands for the proposed amendments to be revoked.	As a response, the government introduces concessions to the bill but critics say they are not enough.
June 9, 2019	In the city's largest and most violent protests in decades, more than half a million flood the streets.	Violence outbreaks as police fire rubber bullets and tear gas at civilians. As a result of the immense chaos, Lam indefinitely delays implementing the extradition law.
July 1, 2019	The legislative council is stormed by protesters destroying pictures on the handover's 22nd anniversary.	The extradition bill is killed by Carrie Lam.
May 21, 2020	A national security legislation is to be imposed by Beijing triggered by the violent unrest in Hong Kong.	Thousands protest over the law. Police fire tear gas and water cannons.
March 11, 2021	Hong Kong's election rules are rewritten by China's National People's Congress.	Ensures a system in which patriots are governing Hong Kong. Many western countries view this as people's freedom eroding further.

Previous Attempts to Solve the Issue

Enhanced Education System

Between June of 2019 to 2020, around 40% of the 9,200 arrested protesters have been students. In 2019, leader of Hong Kong, Carrie Lam, proposed a potential solution to put an end to the months of

protests, worsened economic status, police brutality, and full universal suffrage. Lam believed that what the territory's people really needed was a revamped education system, one that is more Chinese-style and **patriotic**. This improved education would strengthen the connections between Hong Kong's young generation and their leaders. Even Beijing officials and business tycoons pinpoint the lack of national education as the major cause of the pro-democracy protests. In fact, protesters of Today's demonstrations band themselves as patriots in the sense that they are giving up everything to fight for their country's betterment. However, this is not the kind of patriotism that Carrie Lam and Beijing want. Beijing had implemented this exact strategy on the mainland, boosting nationalism throughout classrooms starting from 2012. That same year, the same efforts were attempted in Hong Kong, but dramatically failed due to the independent education system and different language. The plans were withdrawn after thousands protested against it. A "softer approach" is needed this time round if authorities are looking for success with the patriotic-education plan.

National Security Law

On the 30th of June, 2020, a National Security Law was publicized by Beijing to Hong Kong: effective immediately. Citizens of the territory had been anxiously awaiting this legislation's arrival for the month leading up to the promulgation after China's parliament announced its plans. The Chinese leadership was infuriated by the series of months entailing anti-government, pro-democracy protests. This was seen by an open challenge on the citizens' part towards their national sovereignty. The purpose of such law was to criminalize any acts of secession, subversion, terrorism, or collusion with foreign forces. Punishment of such crimes includes a life sentence of imprisonment. The National Security Law was created by Beijing to bring justice towards actions that pose endangerment to national security. The Chinese government was hopeful that their strategy would diminish the number of protests and bring violence to a halt. Leaders from China and Hong Kong assured the fearful public that this law would only be targeting a select minority of individuals, and not deprive the semi-autonomous city's freedom. A year after its implementation, some celebrated the law by naming it the solution to the violence and political unrest by restoring stability. Others do not feel as optimistic, seeing the law as an impediment of their freedom. By June 27, 2021 under the security law, 117 people had been arrested and 64 charged so far. With newspaper and media outlets closing down, public protesting banned, censorship implemented, and almost all of the country's pro-democracy figures (activists and politicians) jailed or exiled; Hong Kong was growing to be like one of the Beijing-controlled Chinese cities. An entire city transformed in the brief period of a year has left many stunned and grieving.

Emergency Regulations Ordinance

The Emergency Regulation Ordinance law applicable in Hong Kong that bestows upon the Council's current Chief Executive the power to make "any regulations whatsoever which he may consider desirable in the public interest". Granted power can be exercised in the form of arrests, property seizures, deportation, control of the ports and transportation, and media censorship. Such an extreme law is only called on during situations that the Chief Executive believes to be of national emergency or public danger. This colonial era law was first established during the 1922 seamen's strikes that immobilized Hong Kong's ports in efforts to combat them. After this occurrence, the law was also invoked during several other dangerous episodes during colonial rule. Years had gone past without the Emergency Regulation Ordinance being called into action. Then, it was implemented from 2019 to 2020 in light of the protests. Through authorization by the Emergency Regulations Ordinance, Chief Executive - Carrie Lam - banned protesters from wearing face masks or other items that concealed facial identity in public on October 4, 2019. Punishment for offending this regulation includes a maximum of one year in prison or a fine of \$3,200 US. The granting of powers to the Chief Executive on an occasion of public danger was then deemed as unconstitutional by the [Court of First Instance \(CFI\)](#). Thus, since it was a manifestation of such powers, the entire prohibition on face covering regulation (PFCR) was considered unconstitutional and was invalid. It was also ruled out as unlawful considering the prohibition was inconsistent with the Basic Law and Bill of Rights. After this attempt was established as unavailing, Carrie Lam evoked the Emergency Regulation Ordinance once again on July 31, 2020. This was invoked to provide her with the power to postpone the Legislative Council election during 2020 for another year. Reasoning behind this action was claimed to be due to the rise in COVID-19 infections. Pro-democracy candidates were hoping to obtain a majority in the Legislation Council after the elections of September. Unprecedented gains were made by the candidates, winning 17 out of 18 of the previous year's district council elections. Pro-democracy activists believe that this move was the government's way of preventing a majority democratic Legislative Council from being elected into place. Overall, calling upon the Emergency Regulation Ordinance was an attempt by Hong Kong's Chief Executive to resolve the protests; however, it proved unsuccessful as it was a violation of basic political codes rendering it out of effect.

Possible Solutions

Inquiry into Police Brutality

The protesters in Hong Kong have been fighting for five demands they want met by their government. Out of all five, only one has been acted on so far: the withdrawal of the drafted extradition law which would allow suspects of crimes to be sent for prosecution in mainland China. Albeit this was a notable first step towards settling the issue, more change is needed. One of the protester's other demands

is one that Lam should be able to meet - an inquiry into allegations of police brutality. Cases of such misconduct have been increasingly prevalent in light of all the protests. Positions of power are being abused as violence is utilized in harmful ways that go against safety guidelines. It was believed by government officials in both Hong Kong and mainland China that the deployment of police force and violence against protesters would help mitigate the fights. This proved false as aggression from the police actually resulted in a massive escalation in the number of protesters coming to the streets. However, Carrie Lam is being extremely resistant towards this matter. Even the families of Hong Kong police officers have requested for an independent investigation. It is very unclear why the territory's leader is very reluctant to initiate so. Beijing could potentially be prohibiting it as investigations would uncover too much fault and misconduct on the justice system's behalf. No matter the severity of the outcome, this act will prove that the government is being proactive in improving the police force and making reforms necessary for protecting citizens. By doing so, trust will be restored within the people of Hong Kong towards their government and police. A lack of faith in the government is what drove citizens to protesting. Thus, rebuilding the civilian-government relationship will work in favor of progressing Hong Kong's and putting a stop to the current situation.

Releasing Convicted Activists

Restoring the faith of Hong Kong's people within their government can be a very impactful method in solving the issues at hand. Another way to do so - alongside conducting external investigations in the police force and their brutalities - is to release all imprisoned activists. The long going months of protests has resulted in thousands of activists and democratic government officials being imprisoned simply for their government opposing beliefs. Releasing all these people from their sentences can possibly incentivize a truce between the government and protesters. It will show that the government is no longer attempting to punish the act of free speech and allowing citizens to express their concerns liberally.

Representation Within Officials

To combat the Hong Kong protests, the less aggressive strategy of increasing the Democratic Party or pro-democracy politician representation within the Legislative Council could prove successful. Having such governmental officials that share similar beliefs and hopes as the protesters will provide the citizens with people to put their faith in. Therefore, the pro-democracy Hong Kong protesters will feel represented and as if their ideas are heard in a government which currently opposes their concerns. Having this mechanism for their opinions to be voiced, the protesters will no longer find the need to resort to violent demonstrations to be heard. As of now, it is difficult for such democratic politicians to rise to positions of power on the Legislative Council considering the indirect elections of Hong Kong as well as pro-Beijing entities' constant interference. Nonetheless, if an influx of pro-democracy candidates are put

forward, an excessive intervention coming from China will become a liability. This would push more citizens to commence protests featuring more anger and potential calls for Hong Kong's complete independence. Interference will pose a threat to the longevity of the "one country, two systems" plan put in place. Rebuilding trust between Hong Kong's citizens and its government is the first step towards improving the current issues that confine the country. It will be a difficult task requiring compromise from both parties but it will be an opportunity to save the country from complete demise.

Universal Suffrage

One of the five demands of the protesters is another possible way that the Chinese and Hong Kong government can tackle the issue at hand: grant citizens with universal suffrage. This is a simple right that the citizens are entitled to under the city's acting constitutions: the Basic Law. Through this, people of Hong Kong would now be supplied with the opportunity to vote and run for office. If people were provided with the chance to express their political opinions and beliefs by voting for representative or running for a democratically elected legislature, they would no longer feel the need to take to the city's streets in violence. Ma Ngok, political scientist, claims that the government's failures has resulted in the loss of trust from an entire generation of civilians. For years to come, this population of youth would remain angry at the government and the police. Therefore, efforts from the government in working towards building trust with their citizens will end the current battles while also preventing opposition and protesting in the future.

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