

China Officially Passes and Implements National Security Law for Hong Kong

China's top lawmaking body, the National People's Congress (NPC), officially passed and implemented national security legislation for Hong Kong earlier this week. The law criminalizes acts of secession, subversion, terrorism, and collusion with foreign forces, all of which carry extremely heavy sentences as violators can face up to lifetime imprisonment. It also requires Hong Kong to establish a national security commission to enforce the law, with a Beijing-appointed adviser. Additionally, mainland authorities will have the power to prosecute "complex" cases, and closed-door trials will be allowed in some instances. The controversial legislation went into effect on Wednesday, the date marking the 23rd anniversary of Hong Kong's handover from the United Kingdom to China and a day which is usually filled with pro-democracy protests.

The newly-implemented legislation has drawn widespread international condemnation, with many governments saying that it erodes the significant degree of autonomy granted to Hong Kong when it was handed over by the United Kingdom to China in 1997. In a joint statement, 27 countries including the United Kingdom, France, Germany, and Japan stated that China must reconsider the law because it undermines Hong Kong's freedoms. The signatories emphasized that "imposing the law without the direct participation of Hong Kong's people, legislature, or judiciary undermines the 'One Country, Two Systems' principle guaranteeing Hong Kong a high degree of autonomy, rights, and freedoms." U.S. Secretary of State Mike Pompeo also denounced the law, saying that the United States would not stand idly by while Beijing "swallows Hong Kong into its authoritarian maw." China responded to the wave of backlash, denouncing it as "interference" in its internal affairs.

China first announced its plan to impose the new national security law back in late May, after nearly a year of protests in Hong Kong that began over a now-withdrawn extradition bill between the territory and the mainland. The protests had largely quelled before that point due to the ongoing coronavirus pandemic, but the newly proposed legislation provided fresh momentum to the demonstrations. After it was announced in May, the law had been shrouded in secrecy. It was only following the law officially being implemented that the Hong Kongese government published the full text and revealed the extent of the powers under the bill.

Critics of the law fear that it will severely repress the political freedoms of Hong Kong citizens and will be used as an excuse to round up anyone critical of the Chinese government, particularly because of the vague definitions provided for its four areas of "criminal activity." Furthermore, people in Hong Kong will now have to consider the potential consequences of arrests and extremely harsh sentences for freedoms that they have long enjoyed. Hong Kong's Basic Law affords civil liberties such as free speech, the right to protest, and an independent judiciary to its citizens. However, the new national security legislation undermines these freedoms which have set Hong Kong apart from the rest of mainland China. Ultimately, it appears as though the Chinese Communist Party intends to use it as an open-ended tool for suppressing any potential threats to its rule.