

The Honourable Carrie Lam
Chief Executive of Hong Kong
Office of the Chief Executive
Hong Kong Special Administrative Region
People's Republic of China

Via email: ceo@ceo.gov.hk

14 May 2020

Prosecution of Lee Cheuk Yan, General Secretary of the Hong Kong Confederation of Trade Unions (HKCTU)

Dear Chief Executive Carrie Lam,

The Australian Council of Trade Unions (ACTU) strongly condemns your administration's continued violation of workers' rights to freedom of assembly in Hong Kong, including the arrest and prosecution of Lee Cheuk Yan, General Secretary of our sister union confederation the HKCTU.

We wrote to you on 2 March 2020 expressing our criticism of the arrest of Mr. Lee, and the charge of 'unlawful assembly' for his participation in the public rally on 31 August 2019 to oppose the extradition bill amendment. Since our correspondence, your government has charged him with participating in two other peaceful demonstrations (18 August 2019 and 1 October 2019).

We reiterate that the right to peaceful assembly is enshrined in Article 21 of the International Covenant on Civil and Political Rights (ICCPR) and Article 27 of the Basic Law. We condemn all measures that prevent Hong Kong workers from exercising their fundamental freedom and lawful rights.

The UN Human Rights Committee has repeatedly urged the Hong Kong government to revoke the prior notification to public assemblies and excessive restrictions under the Hong Kong Public Order Ordinance for contravening Article 21 of the ICCPR. In its most recent report, the Committee of Experts of the International Labour Organisation has taken note of the trend of anti-union dismissals faced by employees when they took part in public protests.

We regret that the Hong Kong government continues to act in ways contrary to the fundamental human rights standards recognised internationally. We urge your government to respect the people's right to freedom of assembly and to:

1. Drop all criminal charges against Lee Cheuk Yan and all other peaceful protesters associated with the anti-extradition bill protests;
2. Lift all restrictions on peaceful assemblies and ensure that peaceful assemblies can be conducted without police interference;
3. Stop arresting and prosecuting people who participate in peaceful assemblies;

4. Establish an independent commission of inquiry to investigate human rights violations, including excessive police violence and arbitrary detentions.

We look forward to your urgent intervention and wish to be kept informed of the measures taken to address these matters.

Yours sincerely,



Michele O'Neil
President