



Concerns regarding the right to education and academic freedom in Hong Kong since the implementation of the *National Security Law*

Civil Society submission to Dr. Koumbou Boly Barry
UN Special Rapporteur on the right to education

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HRIC was founded in March 1989 by overseas Chinese students and scientists with a mission to support Chinese citizens by promoting international human rights and advancing the institutional protection of these rights in the People's Republic of China. For almost thirty years, led by Chinese and supported by a diverse board, HRIC is committed to short-, near-, and long-term work to support the activists and rights defenders in China trying to peacefully exercise fundamental rights and press for rule of law.

Since 1996, we have also maintained a presence in Hong Kong, initially as a listening and reporting post. HRIC's mission has evolved to include the protection of human rights in Hong Kong, with a focus on freedom of expression, association, and assembly.

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I. Introduction: Fundamental rights and freedoms under attack in a “securitized” Hong Kong

1. Human Rights in China (HRIC) makes this submission to Dr. Koumbou Boly Barry, UN Special Rapporteur on the right to education, to provide information and raise concerns regarding the erosion of the right to education and academic freedom in Hong Kong since the imposition of the *National Security Law* (NSL)¹ by the Central People’s Government (CPG) in the Hong Kong Special Administrative Region (SAR).² The NSL is aimed at criminalizing protest activities that had rocked Hong Kong beginning in June 2019³ and targets four categories of offenses: secession, subversion, acts of terrorism, and collusion with foreign forces. In the lead-up to its passage and after the law went into effect on June 30, 2020, there was widespread international and domestic concern expressed including by governments, legal scholars, and human rights experts, UN special procedures and the High Commissioner for Human Rights, and civil society groups, such as the Hong Kong Bar Association.⁴
2. Since its passage, the *National Security Law* has ushered in a rapid succession of government measures that seriously undermine fundamental rights and freedoms, including the rights to freedom of expression, to peaceful assembly, and to participate in public affairs, as well as the right to education. Government actions included the banning of protest slogans and other forms of expression of political dissent⁵; ongoing mass arrests and prosecution of pro-democracy activists under the NSL⁶; tightening of restrictions on the media⁷; postponement of legislative elections for a year⁸; disqualification of pro-democratic lawmakers.⁹
3. HRIC has been encouraged by the many joint statements and communications issued in 2019 and 2020 by a large number of UN special procedures as well as the UN High Commissioner for Human Rights expressing their concerns regarding a wide range of rights issues in Hong Kong and mainland China, including the criminalization of peaceful protests, the implications of the *National Security Law* for the exercise of fundamental rights and freedoms, and whether provisions of the NSL comply with Chinese and Hong Kong SAR governments’ international human rights obligations.¹⁰
4. HRIC’s submission highlights the alarming expansion of attacks on the right to education within an environment of steeply increasing securitization of Hong Kong society, and key developments that impact on the right to education including: the disciplining of educators for their social activism and for exploring political issues in class, textbook censorship, the removal of educational components aimed at fostering critical thinking from a core secondary school curriculum, and an announced plan to insert national security components into almost all subjects in primary and secondary curricula.
5. These government actions and policies are undertaken in concert with other rights-restricting measures aimed at shaping a society compliant with the ideological and political dictates of the CPG. In aggregate, they are transforming an education system that had, up to mid-2020, provided for the free acquisition of knowledge about history, current affairs, and politics; allowed free exploration of ideas across political and ideological divides; and encouraged independent, critical thinking—to one that is circumscribed by ideological and political imperatives as dictated by the state. This regression will

have huge consequences for Hong Kong's students, numbering around 1 million,¹¹ for generations to come.

6. These government actions and policies must be assessed within a rights framework, that is, in the context of the Hong Kong SAR government's obligations to ensure the protection of fundamental rights under domestic and international law, including the *Basic Law*,¹² Hong Kong's constitution, the *International Covenant on Civil and Political Rights* (ICCPR),¹³ which is incorporated into Hong Kong's Bill of Rights,¹⁴ and the *International Covenant on Economic, Social and Cultural Rights* (ICESCR).¹⁵ While Article 10 of the NSL states that the HK government has the responsibility to carry out "national security education in schools (and universities), social organisations, the media, the internet and other means to raise the awareness of the Hong Kong residents of national security and of the obligation to abide by law," the NSL itself also provides protection of the rights enshrined in both the ICCPR and ICESCR. Article 4 of the NSL states:

In safeguarding national security, the Hong Kong Special Administrative Region shall respect and guarantee human rights, the rights and freedoms, including the freedoms of speech, of the press, of publication, of association, of assembly, of procession and of demonstration, which the residents of the Region enjoy under the Basic Law of the Hong Kong Special Administrative Region and the provisions of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights as applied to Hong Kong, shall be protected in accordance with the law.¹⁶

7. HRIC also notes the valuable guidance that the Special Rapporteur on the right to education provided in her 2018 report,¹⁷ which stresses the importance of a rights-based approach to education; her 2019 report,¹⁸ which elucidates ways in which the right to education contributes to the prevention of mass or grave human rights violations; and the November 1, 2019 joint communication to the People's Republic of China which she joined with 11 other special procedures expressing concerns regarding the application and misuse of counter-terrorism legislation in mainland China.¹⁹ Citing a 2016 report by the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, the 2019 joint communication reiterated that "national security considerations should be 'limited in application to situations in which the interest of the whole nation is at stake, which would thereby exclude restrictions in the sole interest of a Government, regime, or power group' (A/71/373)."²⁰ (Emphasis added.)
8. HRIC's submission provides detailed information below on the rights impacts of the expansion of mainland China's ideological indoctrination approach to Hong Kong with a focus on key concerns raised by the Hong Kong SAR government's actions, with respect to human rights standards on the right to education and academic freedom. These include:
 - "[E]ducation shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms." (*International Covenant on Economic, Social and Cultural Rights*, Article 13)
 - "[T]he education of the child shall be directed to . . . [t]he development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United

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Nations [and] preparation of the child for responsible life in a free society” (*Convention on the Rights of the Child*, Article 29)

9. In addition, guidance provided by the Committee on Economic, Social and Cultural Rights in its General Comment No. 13: The Right to Education (Art. 13) is of relevance to the developments in education in Hong Kong:
- “[e]ducation is both a human right in itself and an indispensable means of realizing other human rights” (para.1);
 - “the right to education can only be enjoyed if accompanied by the academic freedom of staff and students” (para. 38); and
 - “[m]embers of the academic community, individually or collectively, are free to pursue, develop and transmit knowledge and ideas, through research, teaching, study, discussion, documentation, production, creation or writing” (para 39).

II. Key developments in Hong Kong undermining the right to education and academic freedom

National security enters the classroom: the securitization of education

10. In her report on her 2003 mission to mainland China,²¹ Ms. Katarina Tomasěvski, the mandate holder in 1998-2004, expressed concerns regarding the implementation of the right to education in mainland China. Among them were that “China’s law does not yet conform to the international legal framework defining the right to education” (para. 6); “[f]reedom to impart education is not recognized, nor is teachers’ freedom of association” (“Summary”); and politicized history teaching “would lead to the rewriting of many history textbooks” (paras. 38, 39).
11. While Ms. Tomasevski’s issues of concern—regarding the failure of China’s law to comply with the international legal framework definition of the right to education; the lack of recognition of the right to impart education and teachers’ freedom of association; and politicized history teaching—continue to exist in mainland China, developments in the Hong Kong SAR following the enactment of the NSL have clearly indicate that the mainland approach of exerting ideological control over education to ensure correct thinking and loyalty to the Communist Party of China (CPC) is being exported to Hong Kong.
12. The joint communication on the PRC Counter-Terrorism Law issued on November 1, 2019 also specifically expressed concerns that “[i]ndoctrination programmes, such as ‘re-education facilities’” targeting Uyghurs “are also in contradiction with the right to education, which must always be free of propaganda and imply access to information and a focus on the free development and exercise of critical thinking.” The Joint communication underscored that “practices of indoctrination negatively interfere with the right to form and hold opinions. . . . This right requires freedom from undue coercion in the development of an individual’s beliefs, ideologies, reactions and positions.”²² (Emphasis added.)

13. A key development that illustrates how indoctrination practices are undermining the right to education under a national security agenda is the issuance of a circular titled “National Security Education in School Curriculum - Implementation Mode and Learning and Teaching Resources” by the Hong Kong’s Education Bureau on February 4, 2021. The circular was issued to all supervisors and heads of all primary and secondary Schools and required actions to insert national security components into their respective school curricula.²³ It states: “The fundamentals of national security education are to develop in students a sense of belonging to the country, an affection for the Chinese people, a sense of national identity, as well as an awareness of and a sense of responsibility for safeguarding national security.” As articulated, the core aim links raising students’ sense of duty to safeguard national security *with* enforcing the embrace of the Chinese identity among students.
14. In the context of Hong Kong—where the implementation of the NSL and the increasing suppression of the exercise of fundamental rights and freedoms have called into serious question the CPG’s compliance with its promise to govern Hong Kong under the “one country, two systems” principle—the requirement to embrace the Chinese identity, along with the implied requirement to support the CPG, may amount to “undue coercion in the development of an individual’s beliefs, ideologies, reactions and positions.”²⁴ A former lawmaker and the vice chairman of the Professional Teachers’ Union, Ip Kin-yuen, criticized the government for issuing the directive without consultation with teachers and parents.²⁵ Ip also raised concern that the national security education is aimed at indoctrination rather than instruction, intended to “suppress” minds, rather than open them.²⁶
15. In a set of “framework” documents listed in the annex of the circular which are available in Chinese only, the authorities are requiring national security education to be entrenched in nearly all school subjects—from lower primary to upper secondary schools—including history, geography, science, technology, civics, moral education, music, as well as Liberal Studies.²⁷ A video released by the Education Bureau and went online on February 5, 2021, “Let’s Learn about National Security (Audio Picture Book),” designed for lower primary school students (and featuring a “Mr. Owl” as the narrator), introduces the concept that national security “covers a lot of issues, including technological security, ecological security, territorial security, cultural security, social security, cyber security, economic security, and so on.”²⁸
16. The requirement to embed national security education in nearly all school subjects signals a replication in Hong Kong of an all-encompassing national security framework—resulting in an “increasingly securitized environment”²⁹—that the CPG has established in mainland China with the promulgation of the *National Security Law* in mainland China in 2015. A prominent legal scholar observed at the time: “In this sort of all-encompassing national security framework, China’s *National Security Law* turns all interests of the political system, sovereignty integrity, economic development, food security, cybersecurity, religion, cultural exchange, environmental protection, and outer space, etc., into life- or-death questions regardless of their gravity.”³⁰
17. The legal scholar warned, “In a system lacking political participation, judicial independence, press freedom, and a civil society, a powerful national security institution could become the bulwarks of an autocratic system. And with this, national security could become a pretext for acts of state brutality.”³¹ The steps being taken by the Hong Kong SAR authorities to entrench national security in

school curricula run counter to providing an education that is “rights-based” and will “strengthen the respect for human rights and fundamental freedoms.”

18. One can also get a clear glimpse of the new national security-infused educational environment from a set of requirements drawn up by the Education Bureau, “National Security: Specific Measures for Schools.”³² Teachers are told to emphasize to students that “as far as national security is concerned, there is no room for debate or compromise,” and that “the campus is not a place for expressing political aspirations.” (Emphasis added.) Schools are told to:

- “ensure that the display of words or objects within the campus . . . such as books (including library collections), publications and leaflets does not involve contents that endanger national security”;
- “forbid any outsider(s) from entering the school campus to conduct activities involving political propaganda”;
- ban the wearing of garment and items “that carry political message(s) on campus” and “[c]hanting slogans, forming human chains, posting slogans/ publicity materials or singing songs which carry political message(s) within the campus”; and
- forbid students from “[r]equesting peers/ others to express their political stance.”

In short, schools will be cleansed of discussions of political topics and expressions of political opinion except those reflecting the “correct” understanding of political topics.

19. Politicized content in the new national security curriculum is evident in a section of a set of PowerPoints supplied by the Education Bureau as teaching resource on the topic of “Historical background” of the ‘one country, two systems’ principle.”³³ The section asks the question: during the period of British rule, was Hong Kong still a Chinese territory?³⁴ The section then asserts the (presumably) only “correct” conclusion: “Even though Hong Kong was ceded to the United Kingdom after the Opium Wars, because the three treaties [that established British sovereignty over Hong Kong] were unequal treaties, they did not alter the fact that Hong Kong was a territory of China.”³⁵ The conclusion is a political argument that ignores the fact that Hong Kong was a colony and dependent territory of the United Kingdom from 1841 to 1997. (The sovereignty of Hong Kong reverted to the People’s Republic of China on July 1, 1997, under another international treaty, the 1984 Sino-British Joint Declaration.³⁶) However, the rights concern presented by the conclusion is not only that it is a politicized version of history, but that it is the *only* version—ann officially condoned version by the CPG that will be taught and enforced in the schools. The evolving education regime in Hong Kong is thus aimed at producing politically and ideological compliant students and future citizens who unquestioningly support the Chinese government.

20. In their November 1, 2019 joint communication to China, the 12 UN special procedures warned: “Practices of indoctrination negatively interfere with the right to form and hold opinions. This right requires freedom from undue coercion in the development of an individual’s beliefs, ideologies, reactions and positions. Indoctrination programmes, such as ‘re-education facilities’, . . . designed to compel individuals to form particular opinions or change their opinion violate article 19 of the UDHR. They are also in contradiction with the right to education, which must always be free of

propaganda and imply access to information and a focus on the free development and exercise of critical thinking.”³⁷

21. From the vantage point of mid-February 2021, the official unveiling of national security education is the concretization of a policy that has been in the making since immediately following the passage of the *National Security Law* in June 2020. The Hong Kong SAR government’s actions and education policies amount to indoctrination programmes and interfere with the right to form and hold opinions, a right that must be free from “undue coercion in the development of an individual’s beliefs, ideologies, reactions, and positions” with regard to the government. And in the name of national security, imposition of national security education inhibits the exercise of critical thinking among students, and advances the political interests of the CPG in Beijing at the expense of an education that strengthens the respect for human rights and fundamental freedoms.

Suppression of speech and other forms of expression in schools

22. On July 8, 2020, just days following the implementation of the NSL, Hong Kong’s Education Secretary, Kevin Yeung, stated that students “should not participate in class boycotts, or take part in activities such as chanting slogans, forming human chains, and posting slogans or singing songs which contain political messages at schools for expressing political stance” and that “schools are obliged to stop” these acts. Yeung further stressed, “Under no circumstances should students or other persons be incited to indicate their stance on controversial and evolving political issues” and urged educators to “remain steadfast in safeguarding the well-being of our students and upholding the goals of education in Hong Kong by cultivating their positive values.”³⁸
23. The suppression of speech and other forms of expression in schools, the prohibition on exploration of “controversial and evolving political issues,” and the imperative to cultivate “positive values”—a code for politically prescribed values—among students seriously undermine the meaningful implementation of relevant international principles and standards, including the “right of everyone to education,” which “shall be directed at the full development the human personality and the sense of dignity and fundamental freedoms” (ICESCR, art. 13).³⁹ And as elaborated by the Committee on Economic, Social and Cultural Rights, “[e]ducation is both a human right in itself and an indispensable means of realizing other human rights”; and that “the right to education can only be enjoyed if accompanied by the academic freedom of staff and students.”⁴⁰ (Emphasis added.)

Disproportionate disciplining of educators

24. In late July 2020, Benny Tai Yiu Ting, an associate professor law at the University of Hong Kong (HKU) and a key planner of the 2014 pro-democracy civil disobedience Occupy Central Movement (more generally known as the Umbrella Movement), was fired by the university’s governing council,⁴¹ essentially for his political activism.⁴² The HKU governing council’s decision went against the ruling by the university senate⁴³ that Tai’s actions amounted to “misconduct” but did not constitute grounds for dismissal.⁴⁴

25. A day before the firing of Benny Tai, Shiu Ka-chun, a former lawmaker and lecturer of social work at the Baptist University of Hong Kong and was active in the Umbrella Movement, was told that his contract would not be renewed at expiration at the end of August. The university provided no reason for the termination.⁴⁵
26. On October 5, 2020, the Education Bureau (EDB) permanently revoked the license of a teacher at the Alliance Primary School, a private school, for “spreading the idea of Hong Kong independence” in violation of the *Basic Law*.⁴⁶ In a life education class⁴⁷ that took place in March 2019, the teacher had shown a documentary featuring pro-independence activist Andy Chan Ho-tin and had students filled out an in-class worksheet containing questions such as “What is freedom of speech?” and “What is the reason for advocating Hong Kong independence?”⁴⁸
27. The disciplining of these educators because of their political activism or exploration of a fundamental right—the right to freedom of speech—of an opposition political figure calls into question the implementation of international principles and standards regarding academic freedom, that “[m]embers of the academic community, individually or collectively, are free to pursue, develop and transmit knowledge and ideas, through research, teaching, study, discussion, documentation, production, creation or writing”⁴⁹; and that higher-education teaching personnel “should not be hindered or impeded in exercising their civil rights as citizens, including the right to contribute to social change through freely expressing their opinion of state policies . . .”⁵⁰ (Emphasis added.)

Self-censorship in the academic community

28. Numerous news reports since the implementation of the National Security Law have portrayed fear and anxiety among Hong Kong’s academic community about what can be discussed and taught. They also reveal widespread and deepening self-censorship throughout the community—among school authorities, teachers, and students alike. A leading legal scholar and professor of law—commenting on article 27 of the NSL, which states, “A person who advocates terrorism or incites the commission of a terrorist activity shall be guilty of an offence”—asked: “To what extent can one talk about the morality of violence and terrorism in an academic sense?”⁵¹ Out of fear of stepping out of line, a professor of medical humanities removed from a lesson about doctors’ responsibilities in society photographs depicting volunteer medics treating protestors and police.⁵² In July 2020, the program director of the humanities and law faculty of a secondary school cautioned the teaching staff: “Remain neutral in your teaching and be mindful of the language you use . . . Any behavior in eliciting further discussion on sensitive issues MUST be avoided.”⁵³
29. The climate of fear and self-censorship in the academic community engendered by official actions and provisions of the *National Security Law* calls into question the adherence to the international principle of academic freedom to which higher-education teaching personnel are entitled in maintaining, specifically, “the right, without constriction by prescribed doctrine, to freedom of teaching and discussion, freedom in carrying out research and disseminating and publishing the results thereof . . .”⁵⁴ (Emphasis added.)

Revamping of a high school core subject—Liberal Studies—to remove critical thinking

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30. In fall 2020, the Hong Kong government announced the revamping of Liberal Studies (LS), a core subject for the upper secondary school (forms 4-6) first introduced in 2009 with the explicit aim to broaden students' knowledge base and produce independent, critical thinkers.⁵⁵



Liberal Studies textbooks. The topic of the volume in the foreground says: “Rule of Law and Sociopolitical Participation.”
Source: South China Morning Post.

31. The subject, constituting about ten percent of lesson time, covers broad topics: personal development and interpersonal relationships, Hong Kong today, modern China, globalization, public health, and energy technology and the environment.

32. But as the anti-extradition protests progressed in 2019, Liberal Studies came under attack by pro-Beijing politicians, including Hong Kong SAR Chief Executive Carrie Lam, who blamed the subject for fueling student activism. In May 2020, Lam said that she was concerned that schoolchildren are being “poisoned” by “false and biased information,” that some subjects, including Liberal Studies, could be “infiltrated,” and that the education sector should not become a “chicken coop without a door.”⁵⁶

33. In September 2019, the Education Bureau invited LS textbook publishers to submit to government censorship through a voluntary process. Six publishers submitted their LS textbooks for review and vetting. The revisions, as reported in the press in August 2020, included the deletion from at least two textbooks of the phrases “separation of power,”⁵⁷ contents on human rights, policing abuses, rule of law, press freedom and civil disobedience,⁵⁸ the names of political groups advocating self-determination and/or independence,⁵⁹ a description of Chinese troops clearing Tiananmen Square of protesters in the June Fourth crackdown on the 1989 Democracy Movement, as well as an illustration of the famous scene of the “Tank Man” standing before a column of tanks during the crackdown.⁶⁰



The illustration on the left shows an amended page, after the removal of the “Tank Man” that appeared in the original illustration, right. Source: South China Morning Post.

Progressive education groups group called the amendments “political censorship”; but the Education Bureau defended it as a move to “help students develop values.”

34. On November 26, 2020—a day following Chief Executive Carrie Lam’s renewed attack of Liberal Studies as a vehicle for “the infiltration of politics into school campuses,” causing students to be “drawn into political turbulence”⁶¹—Education Secretary Kevin Yeung announced sweeping changes in the Liberal Studies curriculum⁶² that would essentially de-emphasize critical thinking and weaken the incentive to learn. The changes include: reducing materials on current affairs; renaming the subject; changing the 1-5 grading system to pass/fail; requiring government vetting of all textbooks; requiring students to make mandatory visits to mainland China; and increasing contents about mainland China.
35. Yeung laid down clear red lines with regard to current affairs contents: “We don’t think [teachers] should talk about something which has just happened . . . [U]nder the ‘one country, two systems’ framework, it is impossible for us to allow discussions in classrooms on Hong Kong independence.”⁶³
36. The reform drew fire from progressive forces in education. On December 9, 2020, the Professional Teachers’ Union released a survey showing that more than 90 percent of the 500 Hong Kong teachers polled believed that Liberal Studies reform was politically motivated.⁶⁴
37. The reform of Liberal Studies to reduce its current affairs contents runs counter to the subject’s aim of encouraging independent, critical thinking among students. It calls into question the implementation of the core principle of the right to education, as enshrined in Article 13 of the ICESCR: “The States Parties to the present Covenant recognize the right of everyone to education. *They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms.* They further agree that *education shall enable all persons to participate effectively in a free society . . .*”⁶⁵ (Emphasis added.)
38. On February 2, 2021, the Education Bureau announced its plan to rename Liberal Studies and revise its contents in a circular named “Optimising the Four Senior Secondary Core Subjects to Create Space for Students and Cater for Learner Diversity: School Questionnaire Survey and School Briefing Sessions” that was sent to heads of secondary.⁶⁶ The total number of hours for the subject will be reduced to 130-150 from the current 250. The “Proposed Themes and Learning Points” for the renamed subject shows two-thirds will focus on Hong Kong’s place in China (“Hong Kong under ‘One Country, Two Systems,’””) and the achievements of the contemporary China (“Our Country since Reform and Opening-up”), with the remaining third covering the globalized world (“Interconnectedness and Interdependence of the Contemporary World”).
39. Alarming, as the Professional Teachers’ Union points out, essential elements of the curriculum intended to provide students with knowledge of world political affairs, deepen their understanding of society from different perspectives, and build their capacity for independent, critical thinking have been removed. The removed elements include: international cooperation, disputes, and crises; the role of the individual in different communities; and participation in society and political affairs. In its lengthy statement,⁶⁷ the Professional Teachers’ Union concludes:

Students would not be able to understand international relations in a comprehensive way, Hong Kong’s role in the international community, and the conflicts of interest among nations and stakeholders; and the opportunities for discussion of controversial subjects would be greatly reduced. The new curriculum no longer mentions critical thinking. And with the removal of participation in society and political affairs, it runs counter to the curriculum’s purpose of nurturing students to become responsible citizens. . . . It has been changed to one-way political indoctrination, same as killing Liberal Studies.

III. Suggestions

40. By implementing measures that are turning Hong Kong’s education system into one increasingly resembling that in mainland China—ideologically driven, tightly controlled—local authorities are not only undermining the right to education and academic freedom, but also placing the future of the protection of fundamental rights, including citizen participation critical to ensuring an open society, at serious risk.
41. In light of the mandate of the Special Rapporteur on the right to education—“to examine the critical issue of the right of all persons to access quality education without discrimination, and to provide recommendations to Government and other stakeholders”⁶⁸—and government policies in Hong Kong that are aimed at producing politically-obedient students with weakened ability for independent, critical thinking, who will, in time, form a citizenry ill-equipped to exercise fundamental rights and freedoms necessary for fostering an open society, HRIC respectfully urges the Special Rapporteur to consider the following suggestions:
 - Monitor closely the on-going attacks on and the deepening deterioration in the right to education and academic freedom in Hong Kong.
 - Speak out publicly to reaffirm international human rights principles and standards and support civil society voices—individuals and groups— under severe pressure and attack.
 - Build upon and support relevant joint statements and communications that relate to your mandate issued by UN special procedures on Hong Kong.
 - Consider issuing individually or jointly with other experts a legal communication on the impact of the National Security law on the right to education and other fundamental rights and freedoms.
 - Support the recommendations of civil society, including establishing a special UN monitoring mechanism for Hong Kong and a special factfinding mission to Hong Kong.⁶⁹

¹ *The Law of the People’s Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region*, 2020, EN: <https://www.gld.gov.hk/egazette/pdf/20202448e/egn2020244872.pdf>; CH: <https://www.elegislation.gov.hk/hk/A406>.

² The NSL was passed by the Standing Committee of the National People’s Congress, the highest legislative body of the People’s Republic of China, and was inserted into Annex III of the Basic Law, Hong Kong’s constitution. *The Basic Law of the Hong Kong Special Administrative Region of the People’s Republic of China*, last updated July 17, 2020, https://www.basiclaw.gov.hk/en/basiclawtext/images/basiclaw_full_text_en.pdf.

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³ The large-scale protest movement was triggered by the Hong Kong SAR government's introduction of extradition amendments that would, if passed, allow the rendition of criminal suspects in Hong Kong to be prosecuted in mainland China where the judicial system lacks independence.

⁴ "Seven UN experts' communication to China urging review and reconsideration of National Security Law to comply with international law," September 1, 2020, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=25487>; "Press briefing note on China / Hong Kong SAR," by Spokesperson for the UN High Commissioner for Human Rights on the National Security Law Rupert Colville, United Nations Human Rights Office of the High Commissioner, July 3, 2020, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26033&LangID=E>; "Free Joshua Wong, Agnes Chow, and Ivan Lam, repeal Hong Kong's undemocratic laws," International Federation for Human Rights, December 10, 2020, <https://www.fidh.org/en/region/asia/china/hong-kong/free-joshua-wong-agnes-chow-and-ivan-lam-repeal-hong-kong-s>; "As China Seeks Reelection to UN Human Rights Council, States and Civil Society Condemn Its Human Rights Abuses," Human Rights in China, October 8, 2020, <https://www.hrichina.org/en/press-work/hric-bulletin/china-seeks-reelection-un-human-rights-council-states-and-civil-society>; and "Statement of the Hong Kong Bar Association on the Hong Kong Government's Decision to Postpone the Legislative Council Election," Hong Kong Bar Association, August 2, 2020, <https://www.hkba.org/sites/default/files/20200701%20HKBA%20statement%20on%20Safeguarding%20National%20><https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26033&LangID=E>.

⁵ Helen Davidson, "Liberate Hong Kong' slogan banned as protesters lie low," *The Guardian*, July 2, 2020, <https://www.theguardian.com/world/2020/jul/02/hong-kong-protesters-laying-low-following-mass-arrests-china>.

⁶ Zen Soo, "Hong Kong arrests 53 activists under national security law," *Associated Press*, January 6, 2021, <https://apnews.com/article/legislature-primary-elections-democracy-hong-kong-elections-25a66f7dd38e6606c9f8cce84106d916>; Emma Graham-Harrison, "Hong Kong democracy campaigner Jimmy Lai denied bail," *The Guardian*, December 12, 2020, <https://www.theguardian.com/world/2020/dec/12/hong-kong-democracy-campaigner-jimmy-lai-denied-bail>; and Brian Wong, "First person charged under Hong Kong's national security law will stand trial at High Court, with no cap on sentencing," *South China Morning Post*, October 6, 2020, <https://www.scmp.com/news/hong-kong/law-and-crime/article/3104396/first-person-charged-under-hong-kongs-national>.

⁷ Kelly Ho, "Hong Kong press groups criticise police decision to only recognise journalists registered with gov't," *Hong Kong Free Press*, September 22, 2020, <https://hongkongfp.com/2020/09/22/hong-kong-press-groups-criticise-police-decision-to-only-recognise-journalists-registered-with-govt/>.

⁸ Austin Ramzy, "Hong Kong Delays Election, Citing Coronavirus. The Opposition Isn't Buying It.," *The New York Times*, July 31, 2020, <https://www.nytimes.com/2020/07/31/world/asia/hong-kong-election-delayed.html>.

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²⁰ *ibid.*

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