



中华人民共和国常驻联合国日内瓦办事处和瑞士其他国际组织代表团
THE PERMANENT MISSION OF THE PEOPLE'S REPUBLIC OF CHINA
TO THE UNITED NATIONS OFFICE AT GENEVA AND OTHER
INTERNATIONAL ORGANIZATIONS IN SWITZERLAND

11 Chemin de Surville, 1213 Petit-Lancy

Tel: +41 (0) 22 879 56 78 Fax: +41 (0) 22 793 70 14

Email: chinamission_gva@mfa.gov.cn Website: www.china-un.ch

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The Permanent Mission of the People's Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland presents its compliments to the Office of the High Commissioner for Human Rights and with reference to the latter's communication [AL CHN 23/2025], has the honor to transmit herewith the reply of the Chinese Government.

The Permanent Mission of the People's Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.

Geneva, 23 March 2026

Office of the High Commissioner for Human Rights

GENEVA

Receipt is hereby acknowledged of communication No. AL CHN 23/2025 from special procedure mandate holders of the United Nations Human Rights Council, to which the Government of China submits the following reply:

1. Before responding to the individual concerns raised in the communication, the Government wishes to point out that the trial proceedings in the cases involving Lee Cheuk-Yan, Chow Hang-Tung and others for the offence of inciting subversion of State power (case No. HCCC 155/2022) are still in progress. In accordance with the legal principles governing cases that are still sub judice, no one should comment on these cases, let alone attempt to interfere in them. In fact, everyone in the Hong Kong Special Administrative Region (Hong Kong SAR) of the People's Republic of China has the right to a fair trial under the Basic Law of the Hong Kong SAR and the Hong Kong Bill of Rights Ordinance (Cap. 383).
2. It should be noted that a core requirement for a fair trial is the ability of the judiciary to conduct trials independently and without any interference. This is a universally applicable principle, and the Government trusts that the Special Rapporteurs and the Working Group that sent the communication understand and agree with it. Moreover, the independent judicial authority of the courts of the Hong Kong SAR should be respected and no one should be allowed to abuse United Nations mechanisms to interfere with ongoing judicial proceedings in the Hong Kong SAR, in violation of the spirit of the Charter of the United Nations, which is based on the principles of the sovereign equality of States and non-interference.
3. The Working Group and the Special Rapporteurs are urged to take note of the fact that the information cited in the communication is clearly incomplete and inaccurate, and deliberately sensationalizes and interconnects unrelated incidents in order to discredit law enforcement operations and judicial proceedings lawfully conducted in the Hong Kong SAR. In fact, the Government of the Hong Kong SAR has publicly clarified this matter many times, but the source of the information has ignored this and deliberately spread rumours to attack the Government of the Hong Kong SAR. The Working Group and the Special Rapporteurs should perform their duties with the utmost care, impartiality and objectivity, examine the credibility of the claims in the communication and avoid being misled by any abuse of process.
4. Accordingly, the following is intended to provide and reiterate accurate information regarding the concerns raised in the communication, so that the Special Rapporteurs and the Working Group will not be misled into making erroneous comments. References below to the cases involving Lee Cheuk-Yan, Chow Hang-Tung and others and to related matters are made for this purpose only. As reiterated in the information below, the Government of the Hong Kong SAR has consistently respected important principles such as the independence of the judiciary and the protection of human rights. It trusts that the Special Rapporteurs and the Working Group will objectively, conscientiously and correctly understand the full context of the matter and refrain from making biased or erroneous comments influenced by rumours and prejudice. Even if specific concerns raised in the communication are not addressed below, the People's Republic of China

and the Hong Kong SAR, as an inalienable part thereof, should not be understood to have acknowledged the negative and inaccurate views expressed in the communication.

Laws of the Hong Kong SAR for safeguarding national security

Protecting fundamental rights and freedoms and upholding the rule of law

5. Regarding the concerns expressed in the communication about rights and freedoms, the Government of the Hong Kong SAR has repeatedly pointed out that, since the return of Hong Kong to the motherland, human rights have consistently been constitutionally guaranteed by the Constitution of the People's Republic of China and the Basic Law. The laws of the Hong Kong SAR for safeguarding national security also expressly identify the protection of human rights as a basic principle. Article 4 of the Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region (Hong Kong National Security Law) and section 2 of the Safeguarding National Security Ordinance explicitly stipulate that, in safeguarding national security, the Hong Kong SAR must respect and protect human rights and must protect, in accordance with the law, the rights and freedoms enjoyed by Hong Kong residents – including freedom of speech, of the press and of publication, as well as the freedoms of association, assembly, procession and demonstration – under the Basic Law and the relevant 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. At the local level, the relevant provisions of the International Covenant on Civil and Political Rights as applied to Hong Kong are implemented through the Hong Kong Bill of Rights Ordinance. All relevant rights and freedoms under the International Covenant on Civil and Political Rights are protected under the Hong Kong Bill of Rights, as set out in section 8 of the Hong Kong Bill of Rights Ordinance. Article 5 of the Hong Kong National Security Law and section 2 of the Safeguarding National Security Ordinance clearly state that the rule of law must be upheld in the prevention, suppression and punishment of offences endangering national security. A person who commits an act constituting an offence under the law must be convicted and punished in accordance with the law; no one may be convicted or punished for an act that does not constitute an offence under the law. A person must be presumed innocent until convicted by a judicial authority. The right to a defence and other legal rights enjoyed in accordance with the law by criminal suspects, defendants and other participants in judicial proceedings must be protected.

6. A person who, by a final judgment, has been convicted or acquitted of an offence in judicial proceedings may not be tried or punished again for the same act. Any measures or enforcement actions taken under the Hong Kong National Security Law, the Safeguarding National Security Ordinance or other national security laws of the Hong Kong SAR must comply with the above guiding principles. As stated by the Hong Kong Court of Final Appeal in the case of *Hong Kong SAR v. Lai Chee Ying* (2021) (24 HKCFAR 67), articles 4 and 5 of the Hong Kong National Security Law emphasize that human rights must be respected and protected and the rule of law must be upheld in

safeguarding national security. This is essential to an overall understanding of the Hong Kong National Security Law.

Freedoms are not absolute

7. Hong Kong residents enjoy the right not to be subjected to arbitrary or unlawful arrest, detention or imprisonment, as well as liberty of person and freedom of speech, of the press and of publication, and freedom of association, assembly, procession and demonstration, in accordance with the law. However, as the Working Group and the Special Rapporteurs have also noted, these rights and freedoms are not absolute. The International Covenant on Civil and Political Rights allows lawful restrictions to be placed on non-absolute human rights in order to safeguard national security. To protect national security or public tranquillity, public order or the rights and freedoms of others, reasonable and necessary restrictions may be imposed on the exercise of these rights under laws such as the Hong Kong National Security Law and the Safeguarding National Security Ordinance. This is a common practice in all countries and is permitted under the International Covenant on Civil and Political Rights.

8. Articles 5, 16, 17 and 18 of the Hong Kong Bill of Rights transpose the provisions of articles 9, 19, 21 and 22, respectively, of the International Covenant on Civil and Political Rights. For reasons such as the protection of national security or public order, these rights may be restricted in conformity with the law.

9. Article 42 of the Basic Law states that Hong Kong residents and other persons in Hong Kong have the obligation to abide by the laws in force in the Hong Kong SAR. Article 6 (1) of the Hong Kong National Security Law states that it is the common responsibility of all the people of China, including the people of Hong Kong, to safeguard the sovereignty, unity and territorial integrity of the country. Article 6 (2) further states that all institutions, organizations and individuals in the Hong Kong SAR must abide by the Hong Kong National Security Law and other laws of the Hong Kong SAR on safeguarding national security, and must not engage in conduct or activities that endanger national security. Article 1 of the Basic Law states that the Hong Kong SAR is an inalienable part of the People's Republic of China. Pursuant to article 12 of the Basic Law, the Hong Kong SAR is a local administrative region of the People's Republic of China that enjoys a high degree of autonomy and comes directly under the Central People's Government. Under article 2 of the Hong Kong National Security Law, the provisions of articles 1 and 12 of the Basic Law on the legal status of the Hong Kong SAR are fundamental provisions of the Basic Law. No institution, organization or individual in the Hong Kong SAR may contravene articles 1 and 12 of the Basic Law in exercising rights and freedoms.

The definitions in the Hong Kong National Security Law are clear

10. The communications received have repeatedly claimed that the definitions of offences in the Hong Kong National Security Law are broad and vague, which is completely inconsistent with the facts. The Hong Kong National Security Law clearly

lists the four categories of offences that endanger national security, namely secession, subversion, terrorist activities and collusion with a foreign country or with external elements to endanger national security. These offences are clearly defined in the Hong Kong National Security Law and are similar to those established under the national security laws of other jurisdictions. The constituent elements of these offences and the penalties, mitigating factors and other consequences of the offences are clearly set out in chapter III of the Hong Kong National Security Law. A defendant cannot be convicted unless the prosecution proves beyond a reasonable doubt that the defendant committed the relevant act and had criminal intent. All persons must take all elements of the offence in question into account, as well as the context, in order to correctly interpret the relevant provisions. Law-abiding people will not be mistakenly swept up in the justice system and there are no undue restrictions on fundamental human rights, as stated in the communication.

11. In fact, the four categories of offences set out in the Hong Kong National Security Law are similar to those established under the national security laws of other jurisdictions. The Treason Felony Act 1848 of the United Kingdom, the Criminal Code of Canada and title 18, chapter 155, of the United States Code (“Treason, Sedition, and Subversive Activities”) also prohibit criminal conduct aimed at the subversion of State power.

Unauthorized assembly

12. The communication alleges, on the basis of a misunderstanding of the law and the facts in the relevant cases, that Chow Hang-Tung and Lee Cheuk-Yan were sentenced to imprisonment for participating in or encouraging peaceful demonstrations and assemblies. Regarding the case of Ms. Chow, who in 2021 was charged with inciting others to knowingly participate in an unauthorized assembly, the Commissioner of Police had issued a notice at that time prohibiting the “Hong Kong Alliance in Support of Patriotic Democratic Movements” from holding a rally in Victoria Park on 4 June 2021. The reason was that, in the view of the Commissioner of Police, such a prohibition was necessary to protect public safety, public order and the rights and freedoms of others and because of the severity of the coronavirus disease (COVID-19) epidemic at that time. However, Ms. Chow still posted messages on her personal Facebook and Twitter pages and wrote a newspaper article inciting others to attend the banned rally.

13. The Court of Final Appeal of the Hong Kong SAR ruled that Ms. Chow’s challenge of the ban on the grounds that it disproportionately restricted her right to peaceful assembly was unfounded. The ban was reasonably compatible with the legitimate purpose of protecting public health, and the determination by the Commissioner of Police that the organizers had failed to provide satisfactory arrangements to meet acceptable safety standards during the epidemic was also reasonable. The Court of Final Appeal ruled that the ban was a proportionate measure that struck a fair balance between restricting the right to peaceful assembly and prohibiting assemblies for reasons of public interest.

14. Lee Cheuk-Yan and other persons were charged with “knowingly participating in an unauthorized assembly” and were found guilty after trial. It was alleged in the case that in August 2019 Mr. Lee and others had participated in a march that had been prohibited by the Commissioner of Police. Both the District Court and the Court of Appeal confirmed the proportionality of the restrictions on freedom of assembly imposed under the provisions of the Public Order Ordinance relating to the offence of unauthorized assembly. The Court of Final Appeal of the Hong Kong SAR noted that during the social unrest of 2019, protests quickly escalated into riots, vandalism of public property and violent clashes with police, underscoring the need for effective measures to maintain public order. The Commissioner of Police made the decision to ban the march in the light of the serious disruption of public order at the time; this decision was subject to review by the independent Appeal Board on Public Meetings and Processions or by a court.

15. As can be seen from the above cases, the Government and courts of the Hong Kong SAR effectively safeguard the fundamental rights and freedoms enjoyed by Hong Kong residents in accordance with the law. Ms. Chow and Mr. Lee were convicted in the above-mentioned cases not because they participated in or encouraged peaceful demonstrations and assemblies, but because they went beyond the bounds of what the law permits regarding the exercise of such rights and freedoms.

Incitement to subversion of State power

16. In case No. HCCC 155/2022, the “Hong Kong Alliance in Support of Patriotic Democratic Movements”, Mr. Lee, Ms. Chow and [REDACTED] were charged on 9 September 2021 with the offence of incitement to subversion of State power under articles 22 and 23 of the Hong Kong National Security Law. On 22 January 2026, Mr. [REDACTED] pleaded guilty and admitted to the facts of the case.

17. Under section 50 (1) (a) of the Police Force Ordinance (Cap. 232), a person may be arrested if the police reasonably suspect that the person has committed an offence for which he or she may (on a first conviction for that offence) be sentenced to imprisonment. Ms. Chow and Mr. Lee were arrested on 8 and 9 September 2021, respectively, on suspicion of violating the Hong Kong National Security Law and were charged with offences punishable by imprisonment.

18. Under article 22 of the Hong Kong National Security Law, any person who organizes, plans, commits or participates in any of the following acts aimed at subverting State power through the use or threat of force or other unlawful means is guilty of an offence: (1) overthrowing or undermining the fundamental system of the People’s Republic of China as established by the Constitution of the People’s Republic of China; (2) overthrowing the central government organs of the People’s Republic of China or the government organs of the Hong Kong SAR; (3) seriously interfering with, obstructing or undermining the lawful performance of duties by the central government organs of the People’s Republic of China or the government organs of the Hong Kong SAR; or (4)

attacking or damaging the premises and facilities used by the government organs of the Hong Kong SAR, thereby preventing them from performing their functions normally.

19. Under article 23 of the Hong Kong National Security Law, any person who incites, assists, abets or provides financial or other material support to another person for the commission of an offence specified in article 22 of the Hong Kong National Security Law commits an offence. There is a clear distinction between the offence of subversion of State power and freedom of speech. If, with specific criminal intent, a person actively incites others to commit a criminal act that he or she wishes to instigate, thereby exceeding the bounds of freedom of speech, such conduct may constitute incitement to commit an offence.

20. In case No. HCCC 155/2022, the “Hong Kong Alliance in Support of Patriotic Democratic Movements”, Mr. Lee and Ms. Chow pleaded not guilty and the case is under trial. On 21 January 2026, the court of first instance dismissed an application by Ms. Chow to set aside the indictment. In its written reasons for the decision, the court stated that, having considered the contents of the indictment, the details provided by the prosecution to date and the opening statement on file, it found that the prosecution had provided the defendants with sufficient and reasonable information to enable them to understand the details of the charges against them. The defendants should already be fully aware of the facts of the case that need to be addressed during the defence phase of the trial and how to prepare their evidence. Whether the prosecution’s case and evidence are sufficient to support the charges is a matter to be decided at trial.

21. Based on the foregoing, the claim in the communication that the acts attributed to Mr. Lee, Ms. Chow and others – allegedly constituting the offence of incitement to subversion of State power – lack a clear definition and sufficient evidence is completely unfounded, and the Government firmly rejects it.

Law enforcement is conducted in accordance with the law

22. The communication alleges that some of the people charged with the offence of endangering national security were engaged in legitimate expressions of opinion. It also alleges that Ms. Chow and Mr. Lee were targeted because of their political views and legitimate human rights work and that their arrest, prosecution and detention are in violation of their human rights. The Government strongly rejects these baseless and inaccurate allegations. As the Government of the Hong Kong SAR has reiterated many times, all law enforcement actions by Hong Kong law enforcement agencies are strictly based on evidence and are taken in accordance with the law and in response to the conduct of the persons or organizations involved, and have nothing to do with their political stance, background or occupation. Article 25 of the Basic Law and article 22 of the Hong Kong Bill of Rights expressly enshrine the principle that all persons are equal before the law, without any discrimination. No one may be targeted for lawfully and properly exercising the fundamental rights and freedoms guaranteed by the Basic Law, and all law enforcement actions must respect human rights in accordance with the law, including freedom of expression and freedom of association, which are guaranteed under

articles 19 and 22, respectively, of the International Covenant on Civil and Political Rights.

23. It should also be stressed that conduct and activities that endanger national security entail very serious consequences. Every country has the right and the obligation to take such measures as are necessary to prevent and curb any such conduct or activities. No country in the world would turn a blind eye to conduct and activities that endanger national security. In fact, the United States has at least 21 laws on safeguarding national security, the United Kingdom has at least 14, Australia has at least 4, Canada has at least 9, New Zealand has at least 2 and Asian countries such as Singapore have at least 6. The Government trusts that the Special Rapporteurs and the Working Group will not ignore these objective and obvious facts when conducting their work.

Prosecution work is independent and rigorous

24. Regarding the concerns expressed in the communication about case No. HCCC 155/2022, it must be emphasized that, pursuant to article 63 of the Basic Law, the Department of Justice of the Hong Kong SAR oversees criminal prosecutions and is not subject to any interference. It rigorously and objectively makes independent prosecution decisions in each case, based on evidence and applicable law, in accordance with the Prosecution Code. The Department of Justice will bring charges only in cases where there is sufficient evidence to afford a reasonable chance of conviction and where such action is in the public interest.

Timely processing of cases

25. When handling cases involving offences that endanger national security, the judiciary and the Department of Justice of the Hong Kong SAR strictly abide by article 42 (1) of the Hong Kong National Security Law, which states that “the law enforcement and judicial authorities of the Region shall ensure that cases concerning offences endangering national security are handled in a fair and timely manner”. In a 2021 case, the Appeal Board of the Court of Final Appeal of the Hong Kong SAR noted that all parties and courts have a responsibility to cooperate fully and to do their utmost to expedite the handling of criminal cases involving offences endangering national security.

26. In each case, the time needed between the filing of charges and the trial will depend on a number of factors, such as whether the case requires further investigation, whether the defendant needs time to seek legal advice and prepare a defence, whether the defence needs the court to certify the translation of documents or whether the defence, in accordance with the rights granted by law, has filed any motions that need to be addressed prior to the trial, such as motions requesting more details or clarifications, disclosure, lifting of reporting restrictions, the splitting of cases involving multiple defendants, preliminary inquiries or release. All motions filed by the prosecution and the defence are processed in accordance with established procedures and in full compliance with due process.

27. If a defendant, whether or not acting on legal advice, decides to file all procedural motions regardless of the actual facts of the case, he or she cannot at the same time complain about “delays” in the proceedings, as this is an inevitable consequence of the defendant’s full exercise of his or her rights under a fair criminal justice system. The claim in the communication that the Government of the Hong Kong SAR failed to grant the “Hong Kong Alliance in Support of Patriotic Democratic Movements”, Mr. Lee and Ms. Chow the right to be tried within a reasonable time is completely unfounded. The case has been processed in full compliance with articles 9 (3) and 14 (3) (c) of the International Covenant on Civil and Political Rights regarding trial within a reasonable time.

Bail arrangements in cases involving offences endangering national security

28. Regarding the concerns raised in the communication about arrangements for granting bail and pretrial detention, decisions to grant bail to defendants charged with serious offences, including offences endangering national security, are generally not taken lightly by courts in various jurisdictions. The Court of Final Appeal of the Hong Kong SAR clearly stated, in a case involving an appeal concerning article 42 (2) of the Hong Kong National Security Law, that safeguarding national security and preventing and suppressing acts endangering national security are extremely important. This is why the Hong Kong National Security Law introduces stricter conditions for granting bail in cases involving offences endangering national security. In the same case, the court also stated that, when invoking article 42 (2) of the Hong Kong National Security Law in relation to applications for bail in cases involving offences endangering national security, the judge must first decide whether there are “sufficient grounds for believing that the criminal suspect or defendant will not continue to commit acts endangering national security”. If the judge, after considering all relevant information, finds that there is no sufficient reason to believe that the defendant will not continue to commit acts endangering national security, he or she will naturally deny the application for bail.

29. On the other hand, if, after considering all relevant information, the judge finds that there are sufficient reasons, he or she should proceed to consider all matters related to the granting or denial of bail before making a decision. In contrast, some jurisdictions even have mechanisms in place to permit the detention of individuals for long periods of time without charge on grounds of national security, but the Hong Kong SAR does not have such a mechanism.

30. If the defendant is dissatisfied with the magistrate’s bail decision (including the conditions of bail or a decision to revoke it), he or she may apply to the Court of First Instance of the High Court to review or change the decision. The Court of First Instance will also consider and decide on such applications in strict accordance with the provisions of the Hong Kong National Security Law and relevant local laws. This mechanism is consistent with article 9 (3) of the International Covenant on Civil and Political Rights, under which “anyone arrested or detained on a criminal charge” must be “brought promptly before a judge”.

31. In the Hong Kong SAR, the courts process bail applications in strict accordance with the provisions of the Hong Kong National Security Law. When deciding whether to grant bail, the court will consider all relevant factors, including the positions and arguments of both the prosecution and the defence and all relevant information submitted to the court. It will determine whether to grant bail – and, if so, under what conditions – in the light of the individual circumstances of each case. The granting of bail and the imposition of any conditions on bail are judicial decisions made on a case-by-case basis.

Detention arrangements

32. The rights and freedoms of prisoners are subject to necessary restrictions during the period of imprisonment. Prisoners do not lose all the rights and freedoms protected by the Basic Law due to imprisonment or detention, but the rights and freedoms they enjoy are not the same as those of persons who are not in prison. While enjoying their rights and freedoms, they must be subject to such restrictions as are necessary for legitimate purposes such as protecting national security, ensuring prison security and maintaining discipline and order. This is standard practice in every country. For example, the European Court of Human Rights has clearly pointed out that some control over the content of prisoners' communication outside the prison is part of the ordinary and reasonable requirements of imprisonment and is not, in principle, incompatible with freedom of expression; imprisonment will inevitably involve many restrictions on prisoners' communication with the outside world, including appropriate restrictions on their ability to obtain information.

33. The Correctional Services Department's detention management has always been based on the principles of safety, security, humanity, appropriateness and health. It pursues the dual objectives of punishment and rehabilitation and provides inmates with a suitable and healthy custodial environment. The Correctional Services Department has consistently demonstrated professionalism and achieved outstanding results, and is highly regarded in the international correctional community. The Department has dealt with matters relating to the detention of Mr. Lee and Ms. Chow in the same way as those relating to other prisoners. The allegations in the communication about the detention arrangements for Mr. Lee and Ms. Chow are inconsistent with the facts, which are set out in detail below to set the record straight.

A safe, humane, appropriate and healthy custodial environment

34. The Correctional Services Department has always attached great importance to prisoner safety and health. Efforts are consistently made to provide all prisoners, regardless of their identity, age or nationality, with a safe, humane, suitable and healthy custodial environment, including well-ventilated and adequately lit facilities and appropriate and timely medical care. For purposes such as protecting the interests of prisoners or the personal safety of any individual, or maintaining security, order or discipline in the prison, the Commissioner of Correctional Services may, under rule 68B of the Prison Rules, issue an order removing a prisoner from association with other

prisoners. The Correctional Services Department has never removed Ms. Chow from association with other prisoners under rule 68B of the Prison Rules.

35. On the other hand, security and order in prisons are very important. All prisoners must strictly abide by the Prisons Ordinance and institutional discipline; failure to do so will result in disciplinary action. If any prisoner is found to have committed a disciplinary offence, disciplinary proceedings will be initiated against him or her in accordance with rule 61 of the Prison Rules. If the prisoner is found guilty, rule 63 of the Prison Rules authorizes correctional officers to impose penalties on inmates who violate prison discipline, including issuing warnings, placing them in separate confinement and revoking privileges. Any prisoner who considers himself or herself aggrieved by any order made under this rule may, within 48 hours after the issuance of such order, appeal to the Commissioner and the execution of the order will be stayed pending the hearing of the appeal. Under rule 65 of the Prison Rules, no prisoner may be subjected to separate confinement unless a medical officer has certified in writing that such prisoner is in a fit condition of health to undergo such punishment.

36. The communication cites information claiming that Ms. Chow was repeatedly kept in “solitary confinement” because of her actions or her publicly expressed opinions, which is completely inconsistent with the facts. In reality, Ms. Chow has repeatedly violated the Prison Rules. Since 2021 she has accumulated a total of 17 disciplinary violations, including possession of unauthorized items and giving unauthorized items to others. She has thus been punished in accordance with the law.

37. Anyone familiar with these facts would conclude that the Correctional Services Department handled Ms. Chow’s disciplinary violations impartially and in accordance with the law, and that her punishment was appropriate, reasonable and lawful. She can in no way be considered to have been subjected to cruel, inhuman or degrading treatment. The information cited in the communication deliberately omits any mention of Ms. Chow’s disciplinary violations and uses misleading and inaccurate information to discredit the decisions made by the Correctional Services Department in accordance with the law. The Government urges the Working Group and the Special Rapporteurs to approach this matter objectively and seriously and to avoid making erroneous comments influenced by biased opinions.

Interdiction of prohibited items

38. To maintain security, order and discipline in prisons, the Correctional Services Department is committed to taking preventive measures to preclude the entry of prohibited items into correctional institutions. Under rule 56 of the Prison Rules, no prisoner is allowed to receive publications from outside the prison except with the Commissioner’s approval. In addition, all items entering or leaving correctional institutions, including the personal effects of individuals entering the institution, all incoming and outgoing correspondence and books and other items given to prisoners by visitors, must undergo thorough security screening to ensure that there are no prohibited items in the correctional institution that may pose a threat to the personal safety of any

individual or the security, order and discipline of the prison. In the past, such rigorous screening has enabled correctional officers to successfully intercept prohibited items entering correctional institutions, including offensive weapons (such as knives), drugs and notes containing illegal information. These practices are consistent with those of prisons around the world and are considered necessary and a matter of course.

39. The communication alleges that the Correctional Services Department did not allow Ms. Chow to receive books brought to her by her family. The Department has always strictly followed the provisions of rule 56 of the Prison Rules with regard to prisoners' receipt of books and periodicals from outside the prison. The Department may, in accordance with the law, withhold any books, periodicals, newspapers or other publications from outside the prison if their nature is detrimental to national security or prisoner rehabilitation or poses a threat to prison security, order and discipline.

Assistance to defendants in preparing for trial

40. The communication alleges that Ms. Chow has not been given regular access to a computer or library to prepare for her trial. In fact, as early as July 2022, the Correctional Services Department approved Ms. Chow's use of a computer within the facility to read the electronic trial documents provided by the prosecution for pretrial preparation. This arrangement has continued since then, and Ms. Chow has not made any complaints or other requests. As for the electronic trial arrangements in court, the Department also approved Ms. Chow's request, filed in November 2024, to borrow a laptop computer for use in court until the conclusion of the trial. In fact, during the public hearing on 27 January 2026, Ms. Chow expressly told the court that the Department had indeed approved and arranged for her to use a computer during the trial. The claim that Ms. Chow was not provided with a computer by the Correctional Services Department to prepare for the trial is obviously inconsistent with the facts.

Clothing policy for prisoners

41. The communication also mentions Ms. Chow's application for judicial review of the clothing policy for prisoners. The Court of First Instance of the High Court rejected the application on 13 January 2026. In its judgment, the Court pointed out that the current clothing policy for prisoners, including the policy requiring female prisoners to wear long trousers during the day in summer, was authorized by the Correctional Services Department in accordance with the Prison Rules. The court was satisfied that the Department had expertise and experience in this area, had carefully considered different factors and taken professional advice into account during the decision-making process, and continued to review its approach.

42. The Court ruled that Ms. Chow had failed to prove that the current policy constituted less favourable treatment for a particular gender. The Court noted that there is currently no factual evidence to suggest any widespread concern that wearing long trousers in summer will have adverse effects on health. In addition, this rule is not absolute, but allows individual prisoners to apply for exceptions based on special

circumstances. The Court also did not accept Ms. Chow's claim that she had requested to wear shorts between July and August 2024 but her request had been refused.

43. The ruling of the Court of First Instance confirms that the actions of the Correctional Services Department were appropriate, reasonable and lawful. Under rule 26 of the Prison Rules, the Correctional Services Department is required to provide every prisoner with a uniform that meets the standards imposed by the Commissioner of Correctional Services. Over the years, the Correctional Services Department has appointed a task force to review the arrangements for prisoners' clothing and has fully considered a number of factors, including the type of correctional facility, the various daily activities of prisoners, the needs of prisoners of different genders in terms of temperature and physical and psychological comfort, considerations regarding prisoners' privacy and dignity, and matters of prison security, order and discipline, in order to continuously improve clothing arrangements in a manner appropriate to the circumstances.

44. The current clothing policy for prisoners already provides a certain degree of flexibility. For example, prisoners can apply to the Correctional Services Department to wear other clothing for health or other reasons. After considering the actual situation and relevant factors, the Department will make appropriate arrangements.

Complaint process

45. At present, prisoners can lodge complaints through multiple channels, including by making complaints to the prison administration, officials of the Correctional Services Department who conduct prison inspections or the Correctional Services Department's Complaints Investigation Unit. The Unit will conduct a fair, impartial and detailed investigation into each complaint or refer it to other law enforcement agencies for follow-up action as appropriate. Prisoners can also submit written complaints to officials such as members of the Legislative Council, the Ombudsman or justices of the peace. The various existing mechanisms for the submission and handling of prisoners' complaints fully protect prisoners' right to submit complaints and ensure that complaints are dealt with fairly.

Conclusion

46. Under the "one country, two systems" principle, the Hong Kong SAR has consistently worked to maintain a legal system that enjoys a high level of trust. Over the years, the judicial system and the rule of law have garnered widespread recognition and respect from the international community. The Hong Kong SAR will remain steadfast in resolutely safeguarding the interests of national sovereignty, security and development, fully and correctly implementing the "one country, two systems" policy and vigorously upholding the judicial system and the rule of law in the Region. It will also continue to protect human rights through reasonable security measures and to promote human rights through development and cooperation. At the same time, it will not hesitate to oppose and refute, in the strongest possible terms, all unfounded and biased claims and malicious

attacks that defame and slander the judicial system, the rule of law and the human rights situation in the Region.

47. It is hoped that the above reply will help the Special Rapporteurs and the Working Group to understand the truth and dispel doubts. The Government strongly urges the Special Rapporteurs and the Working Group not to lose sight of their duty to maintain impartiality and to uphold the principles of independence, fairness and objectivity. On the basis of full respect for the sovereignty and territorial integrity of the People's Republic of China, including the fact that the Hong Kong SAR is an inalienable part thereof, and for the principles of sovereign equality and non-interference in internal affairs laid down in the Charter of the United Nations, the Government is willing to engage in constructive exchanges with the Special Rapporteurs and the Working Group on human rights issues of common concern.
