



## CALD Statement No. 7, S. 2019

### **CALD expresses alarm on the worsening political situation in Hong Kong, calls for de-escalation of conflict**

The Council of Asian Liberals and Democrats (CALD) is alarmed by the worsening political situation in Hong Kong as seen in increasingly violent clashes between the police and anti-government demonstrators in the past few days. Yesterday, November 12, the clashes within the vicinity of Chinese University of Hong Kong, Central, Mongkok and other universities have reportedly led to around 60 injured and 300 arrested. These violent encounters came a day after a policeman shot a protester at close range and a man was doused with petrol and set on fire. There are reports that the volatile political situation will be used as a pretext to postpone the upcoming District Council elections on November 24, which may further aggravate the already precarious political situation.

The months-long political conflict in Hong Kong has led to destruction of private and public properties, warrantless arrests, physical injuries, even death. It has considerable impact on the lives and livelihoods in the territory, threatening to destroy Hong Kong's social cohesion and political institutions.

Hong Kong prides itself as a territory that respects and promotes the rule of law, but recent events puts this into serious question. Rule of law rests on respect for human rights and civil liberties, including freedom to organize, freedom of assembly, freedom of expression and right to petition the government for redress of grievances. Respect for these rights should be front and center of any measure to maintain and secure public order.

In a previous statement, CALD called on the Hong Kong government "to take responsibility for the worsening political crisis by taking steps that accede to the demonstrators' reasonable demands, particularly the withdrawal of the extradition bill and a full, credible investigation of alleged police violence and brutality in dealing with peaceful protesters." To this day, no substantial action has been taken by the Carrie Lam administration to demonstrate its commitment to resolve the political crisis based on the principles of truth, justice and fairness.

CALD is especially concerned by the violations of the rights of those arrested and detained by the police, as well as by the police's use of excessive force to disperse protest. Accounts of those arrested and detained paint a grim picture of how the Hong Kong police routinely violated the fundamental rights of the accused. Some said that they were not given immediate access to a lawyer, or allowed to contact their family. At times, statements were forcibly taken from them without the presence of a lawyer. Those who are suffering injuries were denied medical attention. There are also allegations that the police did not allow some of the detainees to sleep or lie down, while others were forced to strip naked and even physically harmed. These are serious allegations that merit an independent, impartial and prompt investigation. Regardless of political inclination, the rights of the accused must not be infringed upon during arrest and detention.

CALD is also alarmed by the continuing use of excessive force in dealing with protesters. While violence was indeed committed by both the police and the protesters, it is most unfortunate that the former used the violent acts of a small number of the latter as pretext to use unnecessary and excessive force against the vast majority of peaceful protesters. The United Nations (UN) *Basic Principles on the Use of Force and Firearms by Law Enforcement Officials* clearly states that: "Law enforcement officials, in carrying out their duty, shall, as far as possible, apply non-violent means before resorting to the use of force and firearms. They may use force and firearms only if other means remain ineffective or without any promise of achieving the intended result." Furthermore, it says that if the lawful use of force and firearms in unavoidable, law enforcement officials should exercise restraint in such use and act in proportion to the seriousness of the offence. Most importantly, it states that at all times, the use of force should minimize damage and injury, and respect and preserve human life.

In this regard, CALD reiterates its call to set up an independent, impartial and effective Commission on Inquiry with a mandate to investigate clashes in the past few months, particularly the use of live ammunitions, bean bag rounds, rubber bullets, tear gas, batons pepper spray, among others. In the same vein, violence committed by the other side should be properly investigated, tried and prosecuted as well. We are of the opinion that the existing Complaints Against Police Office (CAPO), a branch of the Hong Kong police, lacks independence and capacity to carry out an independent, impartial, effective and prompt investigation. The Independent Police Complaints Council (IPCC), with a mandate to monitor CAPO's investigations, also lacks power and resources to serve as an effective watchdog.

CALD also calls on the Hong Kong administration to ensure that the District Council election on November 24 will push through as scheduled, and to guarantee the safety and security of those who are exercising their right to vote. In democracies, the ballot box has been a mechanism to settle political differences and diffuse political tension. While it may take more that the upcoming election to resolve Hong Kong's political crisis, postponing or canceling it would definitely not help in easing the tense political situation.

Finally, CALD appeals to the international community to urge the Chinese government and the Hong Kong administration to take urgent actions to de-escalate the situation in Hong Kong and to open a sincere, direct and honest discussion with all stakeholders.

CALD believes that the escalating violence and acts of destruction must stop to pave the way for such discussion to take place. Truth, justice and fairness should guide Hong Kong's road to reconciliation and peace.

For the Council of Asian Liberals and Democrats:



**Bi-Khim Hsiao, MP**  
Chairperson

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