

## FREEDOM IN THE WORLD 2020

# Hong Kong\*

PARTLY FREE

# 55

/100

<u>Political Rights</u>	16 /40
<u>Civil Liberties</u>	39 /60

## LAST YEAR'S SCORE &amp; STATUS

59 /100  Partly Free

Global freedom statuses are calculated on a weighted scale. [See the methodology.](#)

\* Indicates a territory as opposed to an independent country.



# Overview

The people of Hong Kong, a special administrative region of China, have traditionally enjoyed substantial civil liberties and the rule of law under their local constitution, the Basic Law. However, the chief executive and half of the Legislative Council (Legco) are chosen through indirect electoral systems that favor pro-Beijing interests, and the territory's freedoms and autonomy have come under threat in recent years due to growing political and economic pressure from the mainland.

## Key Developments in 2019

- In April, Hong Kong Chief Executive Carrie Lam's government introduced legislation that would allow extradition of Hong Kong residents, foreign residents, and visitors to China, where they would not be guaranteed a fair trial and may be subject to torture and other human rights abuses. The move prompted months of large-scale protests that featured violent attacks against peaceful demonstrators by nonstate actors, considerable police violence, and thousands of arrests.
- While the extradition bill was formally withdrawn in October, protests, violence, and civil disobedience continued throughout the year. The demonstrators voiced four principal demands: that the protests not be characterized by authorities as "riots," that an amnesty be granted to the more than 6,000 people arrested in connection with their participation in the movement, that an independent inquiry be established into abuse of power by the Hong Kong police, and complete universal suffrage for the Legislative Council and the chief executive.
- As the protest movement continued, Lam in October revived the 1922 Emergency Regulations Ordinance to issue a ban on face masks, which protesters had used to shield their identities from police. The move marked the first use of these emergency powers since the British Colonial Government had involved them last in 1967. A Hong Kong court struck down the emergency degree in November, prompting strident criticism from the mainland Chinese

National People's Congress (NPC). The ban remained in effect at year's end, as litigation continued.

- In October, police used live ammunition against protesters, shooting one 18-year-old demonstrator in the chest during an altercation. For two weeks in November, police laid siege to Hong Kong Polytechnic University, threatening lethal force against protesters, and arresting some 1,375 people.
- In November elections to local councils, prodemocracy candidates won a record-breaking 389 of 452 elected seats, in a landslide that saw pro-Beijing candidates hold just 58 seats, down from 300 previously. The polls saw the highest voter turnout since Hong Kong began its district council elections.

## Political Rights

### A. Electoral Process

**A1** 0-4 pts

**Was the current head of government or other chief national authority elected through free and fair elections?**

**0** / 4

The chief executive, who serves a five-year term, is chosen by a 1,200-member election committee. Some 200,000 “functional constituency” voters—representatives of elite business and social sectors, many with close Beijing ties—elect 900 of the committee’s members, and the remaining 300 consist of Legco members, Hong Kong delegates to China’s NPC, religious representatives, and Hong Kong members of the Chinese People’s Political Consultative Conference (CPPCC), a Chinese government advisory body.

In 2017, Carrie Lam, a former deputy to outgoing chief executive Leung Chun-ying and Beijing’s favored candidate, was chosen as Hong Kong’s fourth—and first woman—chief executive, with 777 election committee votes. Her main opponent, former financial secretary John Tsang, received just 365 votes despite drawing far more

support than Lam in public opinion polls. As in the past, the selection process featured reports of heavy lobbying by central government representatives.

**A2** 0-4 pts

**Were the current national legislative representatives elected through free and fair elections?**

**1** / 4

Of the Legco's 70 seats, 30 are elected by functional constituency voters, 35 are chosen through direct elections in five geographical constituencies, and the remaining five are directly elected after nominations by Hong Kong's 18 district councils from among their own members. Members serve four-year terms.

In the September 2016 elections, a growing movement emphasizing localism and self-determination emerged to compete with existing pro-Beijing and prodemocracy camps. Candidates from this movement, which grew out of the 2014 Umbrella Movement, captured six seats. Other prodemocracy parties took 23 seats, while pro-Beijing parties won 40; an independent took the remaining seat.

Authorities have responded to the new opposition dynamic by tightening qualification rules, forcing out some lawmakers, and making it increasingly difficult for localist and prodemocracy candidates to win office. In October 2016, after several localist and prodemocracy Legco members altered their oaths of office as a form of protest, the oaths of two newly elected localists—Sixtus Baggio Leung Chung-hang and Yau Wai-ching—were rejected. The NPC in Beijing issued an unusual Basic Law interpretation that November, requiring oaths to be taken “sincerely and solemnly,” and the High Court then affirmed the two representatives’ disqualifications. In August 2017, Hong Kong’s Court of Final Appeal upheld the decision.

In July 2017, a court granted the government’s request to remove four other Legco members who made political statements during their 2016 swearing-in ceremonies—Nathan Law Kwun-chung, Lau Siu-lai, Edward Yiu Chung-yim and Leung Kwok-hung—even though their oaths had been accepted by the Legco at the time. In September 2017, Lau and Leung indicated their intent to appeal the decision, meaning by-elections to fill their seats would be postponed. By-elections for the remaining four

seats left vacant by oath-related disqualifications were held in March 2018, and prodemocracy candidates recaptured only two of these seats.

In May 2018, Lau withdrew her appeal, citing the financial and psychological toll of the lengthy proceedings, and her later nomination to run in a November by-election to fill the now-vacated seat was invalidated by the Electoral Affairs Commission (EAC), citing her past advocacy in favor of self-determination for Hong Kong. Meanwhile, the Court of Appeal rejected Leung’s application in February 2019. Leung vowed to apply for legal aid to appeal to the Court of Final Appeal.

However, in elections to local councils held in November 2019, prodemocracy candidates won a record-breaking 389 of 452 elected seats, in a landslide that saw pro-Beijing candidates hold just 58 seats, down from 300 in the previous election. The polls saw the highest voter turnout since Hong Kong began its district council elections.

The elections were, however, marred by the EAC’s October decision to disqualify activist Joshua Wong, stating that his “advocating or promoting ‘self-determination’” made his candidacy invalid; Wong had taken part in and been arrested during the 2019 protests. The election period also saw violent physical attacks on a number of candidates.

### A3 0-4 pts

**Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies?**

**1 / 4**

Universal suffrage, meaning direct elections, is the “ultimate aim” under the Basic Law, but only incremental changes to the electoral system have been permitted to date. Since August 2019, the introduction of universal suffrage for the Legco and chief executive has been a consistent demand of protesters. Moreover, the system, which already favored pro-Beijing interests and prevented direct elections for many offices, has grown more hostile to dissenting views in recent years. Ahead of the 2016 Legco elections, the EAC required all candidates to attest in writing to their belief that Hong Kong is unquestionably a part of China, based on certain Basic Law

provisions. The EAC invalidated the nominations of six localist candidates for failure to comply, preventing them from running. The NPC's 2016 Basic Law interpretation concerning "sincerity" and "solemnity" in oath-taking bolstered the EAC's authority to block future candidates on similar grounds.

In 2019, the EAC disqualified Joshua Wong from participating in local council elections on grounds that he had promoted "self-determination," a decision linked to his participation in the year's protest movement.

## B. Political Pluralism and Participation

**B1** 0-4 pts

**Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings?**

**2 / 4**

Hong Kong residents' political choices are limited by the semidemocratic electoral system, which ensures the dominance of pro-Beijing parties and candidates. Some 18 political parties are currently represented in the Legco. The largest pro-Beijing party is the Democratic Alliance for the Betterment and Progress of Hong Kong. The main parties in the prodemocracy camp are the Civic Party and the Democratic Party, and key localist groupings include Youngspiration and Civic Passion. The Chinese Communist Party (CCP) is not formally registered in Hong Kong but exercises considerable influence.

In September 2018, Hong Kong's secretary for security announced that the proindependence Hong Kong National Party (HKNP) was officially banned, citing party statements likely to "cause violence and public disorder" and invoking interests of national security, public safety, and public order. The move, based on a law previously used to combat organized crime, marked the first blanket prohibition of a



political party in Hong Kong since the territory's 1997 handover from Britain to China. In February 2019, an appeal by HKNP leader Andy Chan Ho-tin was rejected by the Executive Council.

In August and again in October 2019, Jimmy Sham—a leader of the Civil Human Rights Front (CHRF), a member of the League of Social Democrats, and a candidate in the November 2019 district council elections—was attacked by unknown assailants, with the second attack leaving him hospitalized. Other prodemocracy candidates, as well as pro-Beijing candidate Junius Ho, also suffered violent attacks in the lead-up to the November elections.

**B2** 0-4 pts

**Is there a realistic opportunity for the opposition to increase its support or gain power through elections?**

**2/4**

Prodemocracy legislators have historically enjoyed substantial minority representation alongside their pro-Beijing counterparts. However, the recent disqualification of so many candidates demonstrates the limits of Beijing's tolerance for movements that threaten its influence. The subjective nature of the NPC's "sincere" and "solemn" standard for oath-taking raises substantial concern that further disqualifications will prevent opposition forces from regaining their former share of seats in the Legco.

However, despite these challenges, the prodemocracy parties enjoy substantial and widespread support in Hong Kong, and prodemocracy candidates made significant gains in 2019 district council elections.

*Score Change: The score improved from 1 to 2 due to the landslide victory of prodemocracy opposition parties in district council elections.*

**B3** 0-4 pts

**Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means?**

**1/4**

The CCP leadership in Beijing exerts a powerful influence on politics in Hong Kong through a variety of channels, including the NPC's ability to issue interpretations of the Basic Law, the cooptation of Hong Kong business leaders through their mainland assets and membership in the NPC or CPPCC, and lobbying or harassment of election committee members and other political figures to ensure favorable electoral outcomes. In what was interpreted as a threat to prodemocracy protesters, Chinese troop carriers were seen massing near the Hong Kong border in Shenzhen in August 2019. In October, China's president, Xi Jinping, issued a warning that attempts to divide China—a reference to Hong Kong protesters—would end in “bodies smashed and bones ground to powder.”

**B4** 0-4 pts

**Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities?**

**3/4**

While there are no formal restrictions preventing women or ethnic minorities from voting or running for office, their participation is somewhat limited in practice, with just 12 women and no ethnic minority candidates elected to the Legco in 2016. Hong Kong's first and only openly gay Legco member, initially elected in 2012, was reelected in 2016.

## C. Functioning of Government

**C1** 0-4 pts

**Do the freely elected head of government and national legislative representatives determine the policies of the government?**

**1/4**

Directly elected officials have little ability to set and implement government policies under the territory's political system, and mainland authorities are highly influential.



The Basic Law restricts the Legco's lawmaking powers, prohibiting legislators from introducing bills that would affect Hong Kong's public spending, governmental operations, or political structure.

As a result of the 2017 removal of some prodemocracy lawmakers and the outcome of 2018 by-elections, the prodemocracy camp lost an important legislative veto power that requires control over a majority of geographical constituency seats. However, it would still be able to block Basic Law amendments, which require a two-thirds majority of all Legco members. With prodemocracy parties having dominated the district council elections in November 2019, they will gain a number of the 120 seats available on the 1,200-member committee that will choose the next chief executive; prior to the district council vote, prodemocracy parties controlled approximately 400 seats on the committee. Prodemocracy parties now control 17 of Hong Kong's 18 district councils.

## C2 0-4 pts

**Are safeguards against official corruption strong and effective?**

**3/4**

Hong Kong is regarded as having generally low corruption rates, and some high-ranking officials have been successfully prosecuted for graft-related offenses in the past. However, residents perceive the government to be lagging in the fight against corruption. In January 2019, Secretary for Justice Teresa Cheng survived a motion of no confidence in the Legco by 11 votes to 7 after consistently rejecting calls to explain why she dropped a corruption case against former Hong Kong chief executive Leung Chun-ying. In September 2019, the Independent Commission against Corruption (ICAC) announced charges against 17 people, including 5 who hold offices in a taxi association, for their alleged roles in a widespread vote-rigging scam from the 2016 Legco elections.

## C3 0-4 pts

**Does the government operate with openness and transparency?**

**2/4**

Hong Kong has no freedom of information law nor does it have any specific legislation relating to the management of government records and archives in Hong Kong. Although an administrative code—the Code of Access to Information—is intended to ensure open access to government records, it includes broad exemptions, and official adherence is inconsistent.

Consultations between Hong Kong officials and the Beijing government, represented by a Liaison Office in the territory, are largely opaque, leaving the extent of Beijing’s influence on the local government’s decisions unclear to the public.

## Civil Liberties

### D. Freedom of Expression and Belief

**D1** 0-4 pts

**Are there free and independent media?**

**2/4**

The Basic Law protects press freedom, and the mainland’s internet censorship regime does not apply in Hong Kong. Residents have access to a variety of print, broadcast, and digital news sources.

However, in recent years the Hong Kong and Chinese governments, alongside businesses with close Beijing ties, have increased political and economic pressure on media outlets, resulting in self-censorship among journalists. Some local news outlets have been acquired by mainland businesses or carried dubious “confessions” by mainland political detainees. The detention of five Hong Kong booksellers by mainland authorities in late 2015 has had a chilling effect on the territory’s previously freewheeling book-publishing business. In April 2019, Hong Kong bookseller Lam Wing-kee, one of the five who had been detained, fled Hong Kong for Taiwan over

concerns that he could be extradited back to China under the proposed extradition bill. Earlier, in October 2018, the Hong Kong government refused an employment visa renewal for Victor Mallet, a veteran journalist for the *Financial Times* and vice president of Hong Kong's Foreign Correspondents' Club (FCC); it is widely believed that the expulsion was a reprisal for an FCC event earlier in the year at which Mallet chaired a talk with HKNP leader Andy Chan. Separately, in January 2019, the *Wall Street Journal* revealed that the mainland Chinese government had offered to spy on its reporters in Hong Kong who had reported on a corruption scandal in Malaysia.

During the protests in 2019, members of the media in Hong Kong were assaulted, detained, sprayed with blue dye (used by the Hong Kong police as a tactic to identify protesters) and with tear gas, struck by projectiles, and threatened with live ammunition. In one of the more egregious incidents, in September, Indonesian journalist Veby Indah was wounded by a rubber bullet fired by police and permanently blinded in one eye.

In a positive development, in February 2019, the Hong Kong Court of Appeal upheld sentences that had been levied in 2015 for two of the men involved in the 2014 slashing attack on former *Ming Pao* editor Kevin Lau.

## D2 0-4 pts

**Are individuals free to practice and express their religious faith or nonbelief in public and private?**

**4/4**

Religious freedom is generally respected in Hong Kong. Adherents of the Falun Gong spiritual movement, which is persecuted in mainland China, are free to practice in public. However, they have complained of counterdemonstrations and harassment by members of the Hong Kong Youth Care Association (HKYCA), which has ties to the CCP.

## D3 0-4 pts

**Is there academic freedom, and is the educational system free from extensive political indoctrination?**

**1/4**

University professors have been able to write and lecture freely, and political debate on campuses remains lively. However, government-led revisions of history curriculums and textbooks, and attempts to instill Chinese patriotism over the past decade, have stirred accusations of a pro-Beijing agenda in primary and secondary education. Recent years have seen growing interference by the Hong Kong government and mainland authorities with Hong Kong's colleges and universities. On several occasions in the last two years, university officials have warned students against participating in proindependence or other demonstrations, and implied that they could be prosecuted for disobedience.

In 2019, students, university faculty, and teachers came under significant pressure as Hong Kong authorities sought to quell the year's antigovernment protests, and November saw sustained standoffs between protesters and police in which hundreds were arrested and classes were severely disrupted. In September 2019, as student demonstrations and class boycotts were taking place, Hong Kong's education bureau announced that such boycotts were illegal. The previous month, the bureau had reportedly issued guidelines to teachers on how to respond to the protests, suggesting they respond to "difficult questions" with "I do not know," or "I do not understand it either." After the controversial ban on face masks was introduced in October, the education bureau sought to enlist schools in helping to enforce the ban.

In November 2019, police laid siege to protesters on two campuses—the Chinese University of Hong Kong and Hong Kong Polytechnic University—and standoffs took place at the City University of Hong Kong and Hong Kong University. The siege at Polytechnic University lasted almost two weeks; thousands of tear gas canisters were used at the school, and over a thousand people were arrested. Multiple universities in Hong Kong cancelled classes for the remainder of the term.

Separately, in April 2019, Chan Kin-man, a sociology professor at the Chinese University of Hong Kong, and Benny Tai, a law professor at Hong Kong University, were found guilty of incitement and conspiracy to commit public nuisance and were sentenced to 16 months' imprisonment each for their roles in the 2014 Umbrella Movement, despite the judge finding that they "all along called for a peaceful and nonviolent approach."

*Score Change: The score declined from 2 to 1 due to intensified pressure on universities in response to antigovernment protests, including police sieges and campus incursions to arrest student activists and demonstrators.*

**D4** 0-4 pts

**Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution?**

**3/4**

Private discussion is open and free, though mainland security agencies are suspected of monitoring the communications of prodemocracy activists.

Surveillance of demonstrators was a serious concern during the 2019 protests, with police and the government using facial recognition technology and blue dye to identify protestors. The government in October ultimately enacted a ban on face masks at all demonstrations under the Emergency Regulations Ordinance, in a bid to prevent protesters from exercising their right to privacy. There were also reports of Hong Kong authorities seizing protesters' phones and searching them.

Private individuals who participated in protests faced repercussions for their activities. Among other incidents, in August, protest leader and Hong Kong University Student Union president Davin Wong was attacked while waiting for a bus by attackers who apparently had apparently been surveilling him; he fled Hong Kong the next month. Also in August, a number of employees from Cathay Pacific Airways, including the head of the flight attendant's union, were fired for protesting or engaging in other activity perceived as supporting the demonstrations. At least one employee, a pilot, faced criminal charges.

*Score Change: The score declined from 4 to 3 due to increased self-censorship in the context of the antigovernment protests, with residents facing risks including physical violence, loss of employment, or criminal charges if they express certain views openly.*

# E. Associational and Organizational Rights

**E1** 0-4 pts

**Is there freedom of assembly?**

**1** / 4

The Basic Law guarantees freedom of assembly, but the Public Order Ordinance requires organizers to give police seven days' notice before protests and to obtain official assent. Signs of authorities' growing intolerance of demonstrations emerged during the 2014 Umbrella Movement, which saw increased use of baton charges, pepper spray, and arrests by police. Protesters' encampments also faced assaults by counterdemonstrators, many of whom were later found to have links with criminal gangs. In 2019, numerous defendants, including professors Benny Tai Chan Kin-man, received prison sentences in connection with their participation in the Umbrella Movement.

Since protests against the extradition bill began in June 2019, authorities have regarded demonstrations with outright hostility, and in 2019 the frequent use of force by police against protesters drew intense international condemnation. June and July saw a number of violent attacks by police on protesters, and in November, police fired on demonstrators with live rounds, resulting in the hospitalization of one protester who sustained gunshot wounds. At the same rally, a police officer drove a motorcycle into a crowd of protesters.

Separately, attacks on protesters by mobs linked to organized crime groups known as triads resulted in hundreds injured and dozens hospitalized, and there were numerous instances where police failed to intervene when protesters were attacked. In one notable instance in July, attackers armed with rods beat dozens of protesters and some bystanders at Yuen Long subway station as police mostly stood by. Authorities likened protesters engaged in an August sit-in at the main Hong Kong airport to "terrorists." October's face-mask ban was intended to deter protests.



While most demonstrators were peaceful, some responded to police activity with violence, including by throwing fire bombs or caustic chemicals at officers. Some activists engaged in significant property destruction, such as in early July, when protesters stormed the LegCo, where they smashed windows and ransacked parts of the interior.

*Score Change: The score declined from 2 to 1 because the year's antigovernment protests featured escalating repression and brutality by police and progovernment attackers—including the use of live ammunition—as well as violent responses from some demonstrators.*

**E2** 0-4 pts

**Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work?**

**3/4**

Historically, Hong Kong has played host to a vibrant nongovernmental organization (NGO) sector, including a number of groups that focus on human rights in mainland China. However, in 2019, police and nonstate actors attacked protest leaders and peaceful activists at the Lennon Walls (walls covered with notes bearing messages of support for the protest movement). In October, Jimmy Sham, head of the CHRF, was attacked by a group of men armed with hammers, resulting in his hospitalization. Chinese officials verbally attacked activists speaking about Hong Kong at the United Nations as they delivered their addresses.

A number of activists were arrested during the year over their work organizing events related to the protest movement. Meanwhile, the Hong Kong government insisted on only engaging with select organizations for dialogue.

Early in 2019, there was also a sophisticated cyberattack on the Hong Kong branch of Amnesty International, reportedly originating from mainland China.

*Score Change: The score declined from 4 to 3 due to a series of arrests, physical attacks, and other forms of intimidation targeting prominent civic activists associated with the antigovernment protest movement.*

**E3** 0-4 pts

**Is there freedom for trade unions and similar professional or labor organizations?**

**2/4**

Trade unions are independent, but collective-bargaining rights are not recognized, and protections against antiunion discrimination are weak.

## F. Rule of Law

**F1** 0-4 pts

**Is there an independent judiciary?**

**2/4**

The judiciary is largely independent and remained so during the 2019 crisis. However, the NPC has historically reserved the right to make final interpretations of the Basic Law, limiting the independence of the Court of Final Appeal. The NPC's 2016 interpretation regarding oaths of office was unusual in a number of respects, particularly the fact that it was issued without a request from the Hong Kong government and before the local courts had ruled on the matter in question. It was therefore seen as a blow to the autonomy of the territory's legal system. Critics also noted that the interpretation introduced subjective concepts like "sincerity" and "solemnity" that could lead to politicized enforcement.

Since the beginning of the 2019 protests, the Hong Kong judiciary has faced criticism over various decisions from the Hong Kong government, mainland Chinese media, and protesters. In November 2019, a Hong Kong court struck down an emergency decree banning the use of face masks as unconstitutional, a decision which was promptly met with criticism from the NPC. The ban itself remained in effect.

**F2** 0-4 pts

**Does due process prevail in civil and criminal matters?**

**3/4**

The courts generally adjudicate civil and criminal matters fairly and efficiently. Following the many arrests made during the protests (close to 7,000), courts have been under pressure to process cases faster.

In May 2019, two Hong Kong activists, Ray Wong and Alan Li, who had been due to face court in Hong Kong for charges of rioting relating to a 2016 clash with police, said that they had been granted political asylum in Germany. Wong stated that he believed Germany's grant of asylum was connected with a perceived lack of independence by the Hong Kong judiciary.

In September, following months of large-scale protests, Lam announced withdrawal of a bill that would have allowed for extradition of suspected offenders to China, where they would not be a guarantee of fair trial and were at serious risk of abuse while in detention. The bill was withdrawn formally in October.

### **F3** 0-4 pts

**Is there protection from the illegitimate use of physical force and freedom from war and insurgencies?**

**2/4**

Police are forbidden by law to employ torture, disappearance, and other forms of abuse. However, the 2019 protest movement was met with frequent police violence, which has generally gone unaddressed. There have been credible allegations of the arbitrary detentions of protesters, and their torture while in detention. By October, the Independent Police Complaints Council (IPCC), a civilian body tasked with handling complaints against the police, had received 631 complaints about police conduct. However, in late 2019, a group of foreign experts appointed by the IPCC to study police practices during the protests stepped down, citing concerns about whether the IPCC was capable of engaging in sufficiently robust, independent inquiry.

In addition to police violence, the protest movement brought about a more general climate of unrest, due to both clashes that accompanied demonstrations and violent attacks committed by nonstate actors against protesters, activists, and bystanders at locations far from where protest actions were taking place.

The 2019 allegations of police use of force against protesters occur amidst a broader climate of concern about the encroachment of mainland Chinese governance on Hong Kong. The 2015 disappearances of five Hong Kong booksellers into police custody on the mainland continue to cast doubt on the local government's capacity to protect residents from abuses by Chinese authorities. Four were eventually released, but they reportedly faced surveillance and harassment in Hong Kong; the fifth, Swedish citizen Gui Minhai, remained in some form of detention on the mainland in 2019.

*Score Change: The score declined from 3 to 2 due to a general deterioration in security during the year, with excessive uses of force by police and violent attacks by nonstate actors often going unpunished or occurring away from protest venues.*

**F4** 0-4 pts

**Do laws, policies, and practices guarantee equal treatment of various segments of the population?**

**3/4**

Citizens are generally treated equally under the law, though South Asian minorities face language barriers and de facto discrimination in education and employment. Women are also subject to some employment discrimination in practice. Antidiscrimination laws do not specifically protect LGBT+ people. In February 2019, a Hong Kong court ruled that three transgender people identifying as men could not have their gender listed as “male” on their ID cards without undergoing full gender reassignment surgery.

## G. Personal Autonomy and Individual Rights

**G1** 0-4 pts

**Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education?**

**3/4**

Hong Kong residents generally enjoy freedom of movement, though authorities periodically deny entry to visiting political activists and Falun Gong practitioners, raising suspicions of Beijing-imposed restrictions. Some Hong Kong activists and politicians have also faced difficulty traveling to the mainland. In 2019, there were reports that people traveling into China from Hong Kong were subjected to checks by mainland Chinese authorities, who searched their phones for protest photos and related communications.

**G2** 0-4 pts

**Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors?**

**3/4**

While property rights are largely respected, collusion among powerful business entities with political connections is perceived as an impediment to fair competition.

**G3** 0-4 pts

**Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance?**

**4/4**

Hong Kong residents are legally protected from rape and domestic abuse, and police generally respond appropriately to reports of such crimes. Men and women enjoy equal rights in personal status matters such as marriage and divorce. A challenge to Hong Kong's restrictions on same-sex marriage on the grounds that the restrictions were contrary to the Basic Law was rejected by a court in October 2019.

**G4** 0-4 pts

**Do individuals enjoy equality of opportunity and freedom from economic exploitation?**

**3/4**

While most Hong Kong residents enjoy equality of opportunity and freedom from economic exploitation, certain vulnerable and marginalized communities face substantial risks of exploitation and abuse. For instance, Hong Kong's roughly 380,000 foreign household workers are vulnerable to a wide range of exploitative practices. Since they may face deportation if dismissed, many are reluctant to bring complaints against employers.

### On Hong Kong

See all data, scores & information on this country or territory.

[See More >](#)

### Country Facts

Global Freedom Score

**55/100**  **Partly Free**

### Other Years

2019



**Be the first to  
know what's  
happening.**

Join the Freedom House  
monthly newsletter

Email \*

**Subscribe**



#### ADDRESS

1850 M St. NW Floor 11  
Washington, DC 20036  
(202) 296-5101

#### GENERAL INQUIRIES

[info@freedomhouse.org](mailto:info@freedomhouse.org)

#### PRESS & MEDIA

[press@freedomhouse.org](mailto:press@freedomhouse.org)



@2020 FreedomHouse