

Hong Kong : Statement from Students' Unions of Higher Institutions on the Prohibition on Face Covering Regulation

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On 4 October 2019, the regime announced that it has decided to invoke powers under the Emergency Regulations Ordinance and enacted the Prohibition on Face Covering Regulation ("Anti-Mask Law").

The Regulation prohibits Hongkongers from covering their faces in unauthorised assemblies, illegal assemblies, or even authorised assemblies and marches.

The maximum punishment for violation is 1-year-imprisonment, the Regulation came into effect at 00:00 on 5 October.

Students' Unions of Higher Institutions strongly oppose the enactment of the Anti-Mask Law, and strongly condemn the regime for introducing a totalitarian Regulation and destroying the fundamental rule of law in Hong Kong.

The Anti-Mask Law is an attempt to increase the cost for people to participate in protests and assemblies, creating white terror and seriously depriving them of their constitutional freedoms.

Sparkling even greater public outcry, the Emergency Regulation Ordinance allows the Chief Executive to exercise unlimited power, bypassing the Legislative Council to make laws arbitrarily.

The legislative power under the separation of powers was deprived from the legislative body, destroying the principle itself.

The Basic Law does not allow the Chief Executive to make laws, nor did it allow her to announce a state of emergency, thus the invocation of powers under the Emergency Regulation Ordinance is unconstitutional.

This precedent opened Pandora's Box: the regime may enact any laws that restrict freedom of the people as it wishes, including curfew, limitation of freedom of communication, confiscation of private property, etc. It could even enact local legislation for Article 23 of the Basic Law, with a maximum penalty of life imprisonment.

The Government claimed that the law would be handed over to the Legislative Council for negative vetting, but the fact is that the Council has no power to revoke the order made.

The Anti-Mask Law marked the official commencement of totalitarian governance in Hong Kong, the rule of law ceased to exist, and the freedoms of the people are at great risk.

Furthermore, the Anti-Mask Law does not apply to the Police, expanding their already unfettered power one step further. The Hong Kong Police now has prerogative power, they are above the law: they can use violence as they please and arrest the innocent without any legal consequences.

The Anti-Mask Law gives the Police even more power to create charges to crackdown on protestors, cementing Hong Kong as a Police State.

The regime cited foreign examples, such as Canada, to justify their enactment of the Anti-Mask Law.

However, these foreign countries are democracies, their Anti-Mask Laws were passed through legislative procedures, and the Canadian Police are not above the law. There is a fundamental difference between Hong Kong and Canada, the regime's shameful and pathetic attempt to confuse the public fools no one.

The enactment of the Anti-Mask Law sounded the death knell for Hong Kong, reminding us that Hongkongers must come out victorious in the Revolution of Our Times, or else we would never live to see the day of Hong Kong's Liberation.

"Give us freedom or give us death." Hongkongers had looked past life and death, an Anti-Mask Law will not only fail to scare off the people, but will also ignite our determination in defending our rights and freedom.

The Government's refusal to respond to the people's demands and the delusion that strict laws would stop all resistance are reflections of its ignorance. Hongkongers will not stand around and do nothing, Students' Unions of Higher Institutions call for Hongkongers' unity:

we shall never bow down to totalitarianism and die fighting until glory be to Hong Kong.

6 October 2019

- The Student Union of The Chinese University of Hong Kong
- The Hong Kong University of Science and Technology Students' Union
- Student Union of Chu Hai College of Higher Education Acting Executive Committee
- The Open University of Hong Kong Students' Union
- Lingnan University Students' Union
- Hong Kong Baptist University Students' Union
- The Hong Kong Academy for Performing Arts Students' Union
- The Student Union of Hong Kong Shue Yan University
- The Hong Kong Polytechnic University Students' Union
- The Hang Seng University of Hong Kong Students' Union
- City University of Hong Kong Students' Union
- The Hong Kong University Students' Union