

Hong Kong national security law: flags, banners, and slogans advocating independence, liberation or revolution now illegal

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Officers told at late-night police briefing they can immediately arrest anyone calling for city's split from China in public.

Even carrying an item advocating change could lead to arrest if found during a stop and search.

Hong Kong police have been told they can immediately arrest anyone advocating the city's independence or liberation under the new national security law. Even carrying an item that does so would be enough to get a person detained, a source said.

At a briefing session after the legislation came into force at 11pm on Tuesday 30, officers were told flags and banners bearing slogans related to independence, liberation and revolution, such as "Liberate Hong Kong; revolution of our time" were now illegal.

A senior superintendent in charge of the new special unit, established to enforce the law, told those at the meeting the Department of Justice had advised the force that anything advocating independence or liberation was banned.

Anyone doing so was liable to be charged with committing secession or subversion under the new law. Either crime is now punishable by up to life in prison.

"If we spot any of these activities, such as at a rally, or in any other public display, we are told to film the situation and seize the items as evidence," said an officer who was at the briefing. "A warning could be given to the individual before an arrest, but it is not a must. It depends on the situation.

"If we do a stop and search, and find banned items on a person, we can arrest them immediately. If no arrest is made, police reserve the right to do so later pending further investigation."

Slogans related to liberation and revolution were no longer legal, the officer said, as it was first used in 2016 by Hong Kong indigenous spokesman Edward Leung Tin-kei, who is now serving a six-year sentence for assaulting police and rioting in Mong Kok that year.

Banned items were not just limited to those who advocate the city's split from China, the source added, but also those who call for independence for Taiwan, Tibet and East Turkestan.

The senior superintendent also advised officers to notify headquarters if an arrest was made. The suspect would be taken to the nearest police station to meet with the duty officer, and would then be transferred to Ma On Shan Police Station to be investigated by the new special unit.

A suspect would ultimately be returned to the police station where they were first processed, pending bail or trial.

The source said whether detention time remained at the now-standard 48 hours had not been disclosed at the briefing.

Officers also discussed scenarios in which they were advised to make an immediate arrest. This included a banned slogan being displayed on a car window.

But officers were not told to take immediate action against pro-protest businesses, dubbed “yellow shops”, which often display pro-independence slogans and items.

“We are asked to report this to relevant departments for further investigation,” the source said.

Despite police banning the annual July 1 march, opposition parties have vowed to take to the streets in Causeway Bay on Wednesday afternoon to protest against the imposition of the new law.

Another force insider said police had prepared a new warning flag against secession or subversive behaviour.

The purple flag carries the words: *“You are displaying flags, banners, chanting slogans or conducting yourselves with an intent such as secession or subversion, which may constitute offences under HKSAR National Security Law. You may be arrested and prosecuted.”*

The regional commander of Hong Kong Island, Patrick Kwok Pak-chung, also sent an instruction to frontline officers.

“For the enforcement of the new national security law, we should try to make an immediate arrest, but don’t forget the overall assessment of crowd commotion.”

Police said in an official statement on Tuesday 30 evening the force would resolutely enforce the new law.

“In response to the various criminal acts that endanger national security, the Hong Kong Police Force will conduct arrests and take other law enforcement actions in accordance with the national security law, and the laws of Hong Kong, to protect the life and property of Hong Kong citizens and the basic rights and freedoms they enjoy under the law,” the statement read.

“The Hong Kong Police Force will fully perform its duties and strictly enforce the law to restore social order and ensure the effective implementation of the National Security Law in the HKSAR to safeguard national security.”

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<https://www.scmp.com/news/hong-kong/law-and-crime/article/3091335/hong-kong-national-security-law-flags-banners-and>