

Hong Kong: All 47 democrats facing security law charges remanded in custody after Dep't of Justice appeals against bail decision for 15

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All 47 democrats facing security law charges remanded in custody after Dep't of Justice appeals against bail decision for 15.

As they left court, some defendants chanted: *"Five demands, not one less!"* *"Political prisoners are not guilty!"* and *"Hongkonger won't die!"*.

All 47 pro-democracy figures facing trial over allegations of "subversion" under the Beijing-enacted national security law were remanded in custody on Thursday.

Chief Magistrate Victor So originally granted bail to 15 of the group, but the decision was immediately appealed by the Department of Justice.

So's ruling follows a marathon hearing that stretched across four days.

The democrats – consisting of 39 men and eight women – were first brought to the West Kowloon Magistrates' Courts on Monday to face charges of *"conspiracy to commit subversion"* in connection with an unofficial legislative primary election last July.

So initially granted bail to 15 of them on four conditions. If released, they would have been barred from make any speech or action that could be reasonably deemed a violation of the national security law. Plus, they would have been banned from contacting any foreign official or personnel or organising an unofficial election.

The 15 will remain in custody for up to 48 hours until the High Court hears the justice department's appeal. Meanwhile, all but seven of those refused bail lodged a review and will appear before So again next Friday.

Former law professor and leader of the 2014 Umbrella Movement Benny Tai, jailed activist Joshua Wong and ex-lawmakers including Alvin Yeung, Claudia Mo, Eddie Chu and Ray Chan were among those prosecuted. Other defendants included district councillors and high-profile democracy campaigners – all charged on Sunday.

The 15 pro-democracy originally granted bail

On Thursday, the court rejected an application to waive the reporting restrictions on bail proceedings, despite media requests to report more details of the high-profile case. HKFP is unable to report on the reasoning for the bail denials.

For those not facing a bail review or appeal, the next hearing will be on May 31. The prosecution previously said police needed time to conduct further investigations, including examining and analysing digital devices seized, probing funding flow and gathering witness statements.

As the defendants were leaving court, they waved goodbye and thanked their lawyers. Some also chanted: *"Five demands, not one less!"* *"Political prisoners are not guilty!"* and *"Hongkonger won't*

die!”

Democrats tried to ‘obtain legislative majority’

The 47 democrats stand accused of conspiring together with a view to subvert state power by organising or participating in a scheme with an intention to abuse their power and functions after being elected as a legislator.

According to the charge sheet, police said the defendants aimed to obtain a legislative majority to *“indiscriminately refuse to pass any budgets or public expenditure”* to be proposed by the government. They also planned to *“compel”* the chief executive to dissolve the legislature so as to *“paralyse”* government operations and ultimately forcing the city’s leader to resign, the force said.

The opposition camp’s two-day vote last July saw more than 610,000 citizens casting their ballots, the organisers estimated at the time. Beijing had slammed the polling to shortlist pro-democracy candidates to stand in the now-postponed 2020 Legislative Council election as a “blatant provocation” to the city’s electoral system.

Lam Cho Ming of Amnesty International Hong Kong said the prosecutions were unprecedented attack on freedom of expression and association: *“None of them have committed a recognized crime, but they have fallen victim to a national security law that deems people a ‘threat’ simply for the peaceful expression of political views and for taking part in the conduct of public affairs,”* Lam said in a statement.

“The targeting of these lawmakers and activists signals the government’s intention to close off any space for meaningful political participation in Hong Kong and discourage any future such activities.”

P.S.

<https://hongkongfp.com/2021/03/04/breaking-hong-kong-court-grants-bail-to-15-of-47-democrats-facing-security-law-charges>